



# participating in **SOCIETY**



**BRITAIN TODAY SERIES**

# To Young People

The structure of our Society seems complicated to most young people but, by knowing what your rights and privileges are, you are in a good position to get what you are entitled to in the way of help and advice. If you understand what your duties and obligations are there is much better chance of getting on with people and making the most of your opportunities through life.

This book summarises many of the important things that you should know about when you leave school or college and go to work. If you want to participate to some effect in Society, actively and not just passively, these pages should prove a useful guide and helpful addition to your own experiences — for no book is a substitute for learning from what actually happens to you personally.

First published	1971
Reprinted	April 1972
Reprinted	August 1972
Revised	January 1973

## ACKNOWLEDGEMENTS

The publishers gratefully acknowledge the assistance given by the following:

The British Broadcasting Corporation  
Associated Television Limited  
Tube Investments Limited  
City of Coventry Corporation  
The Giles Studio  
The Daily Express  
The Birmingham Evening Mail  
The British Standards Institute

# **participating**

## **IN SOCIETY**

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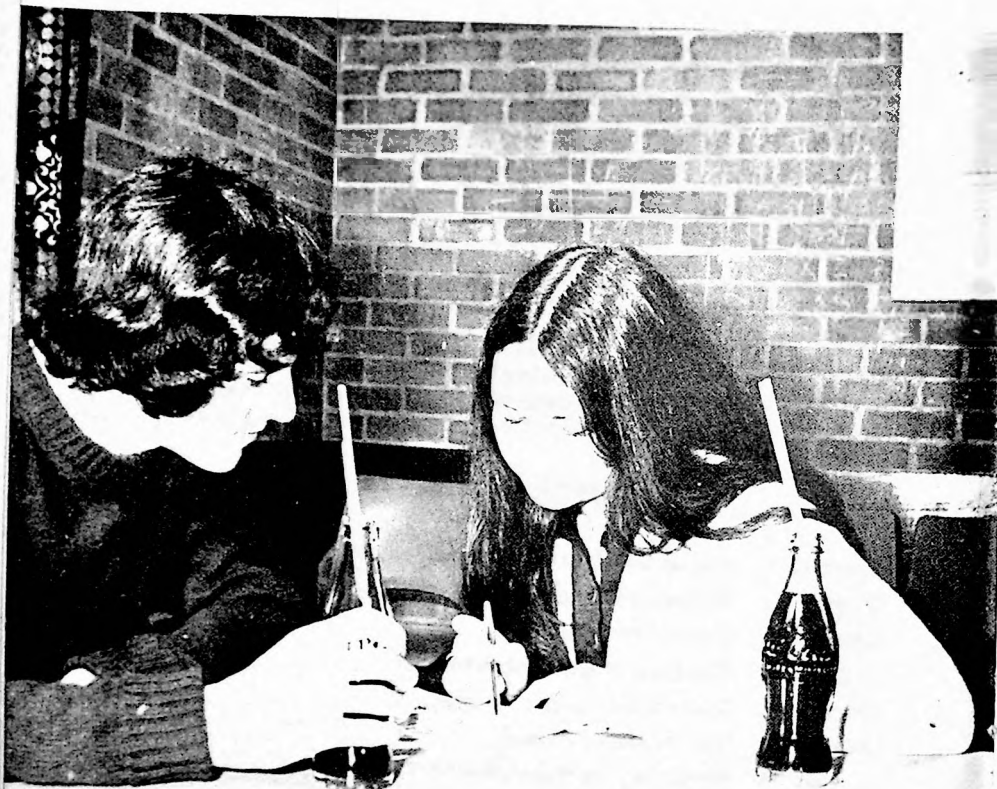
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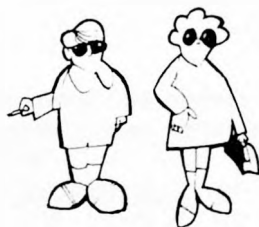
**© 1973**

**CLEARWAY PUBLISHING COMPANY LIMITED**  
**13-15 ALCESTER ROAD SOUTH, BIRMINGHAM B14 7JJ**

**PRINTED BY LITHOGRAVE (BIRMINGHAM) LTD.**



## CHAPTER ONE



# Boy or Man? Girl or Woman?

In many tribal societies in the world there is a ceremony at which a boy becomes a man. Before that day he is treated as a boy by the rest of the tribe and he has to obey the rules for children. After the ceremony he is regarded as a man with all the rights and responsibilities of a man.

Western societies regard the development of a boy becoming a man or a girl becoming a woman as a more gradual process. The privileges and responsibilities of adult life are given to young people over a period of time. Most steps in the changing status of young people — things like bedtimes, short trousers or long trousers, high-heeled shoes, lipstick, and so on — are decided by parents. There are no rules or laws about these matters and families vary a great deal.

In Britain, and many other countries, one of the most important single privileges which mark, in Society's view, the difference between boy or man and girl or woman, is the right to vote in a Parliamentary Election. For many, many years this right was obtained at twenty-one years but now it is the privilege of young men and women who have reached the age of eighteen years. This is an example of the change in the legal status of young people.

### Age and Legal Status

One of the most important factors which decides how active a person may be in his community is the view that the law takes of his rights and duties at any particular age.

The time of life when legal status changes most rapidly is between the ages of thirteen and eighteen. The table below shows in detail the steps by which a person is increasingly drawn into the life of the community and given responsibilities as he grows older. Some of these changes allow a person to participate in various matters if he wishes, for example, voting for a Member of Parliament or a local Councillor,

but others present no choice and involve an individual whether he wishes it or not, for instance, paying Social Security Contributions when working.

#### AGE

#### LEGAL POSITION

- 13** A boy or girl may be employed part-time but not before 6 a.m. or after 8 p.m. and no more than two hours on schooldays or Sundays. Can drive a tractor on a farm and work at light agriculture and horticulture. (Local councils have the power to decide on a higher minimum age for working if they wish).
- 14** Can be fined up to £10 (cannot be fined at all before this age). Must give consent to being placed on probation. Allowed to pawn. Allowed in licensed premises but not to drink anything alcoholic. May be finger-printed if charged with an offence. Can be given an air gun. Can see a AA Certificate film. Usual end of reduced fares. In Scotland a boy can make a will (girls can do so at 12 in Scotland). Boys can be charged with rape.
- 15** Allowed in knacker's yard during slaughtering or cutting up of carcasses. Can be sent for Borstal training if approved school not considered suitable. Can open National Giro account. Contracts valid under certain conditions, for example, beneficial contracts of service such as an apprenticeship agreement. National Health Service charges payable. Can have a shotgun. Can become a police cadet in Scotland.
- 16** Can leave school at end of Easter Term if birthday falls in Christmas Term or Easter Term and at end of Summer Term if birthday falls in Summer Term. Eligible for an educational maintenance allowance (called a higher school bursary in Scotland). Can sign own consent to surgical and dental operation. Can join armed forces with parents' consent. Can engage in street trading. Can sell scrap metal to a dealer.

Can fly a glider solo. If absconds from home cannot be forced back by parents unless found to be living in dubious circumstances. No longer illegal for girls to have sexual intercourse. Can buy and sell tickets for sweepstakes, raffles and draws. Can marry with consent of parents (not needed in Scotland). Can drive a moped of up to 50 cc. Can drive an invalid carriage and an agricultural tractor. Can be fined more than £10. Allowed to drink beer, cider, perry and porter with a meal. Can buy tobacco, cigarette paper and snuff (before this age only messenger boys in uniform are allowed to). Maximum working week 48 hours plus up to six hours overtime. Can choose own doctor and dentist. Can buy liquor chocolates. Can join the State Contractual Savings Scheme (S.A.Y.E.). Parents or guardians cannot change a minor's name without his permission. Can become a police cadet in Scotland.

16½ Entitled to sickness and unemployment benefit.

17 Can enter full-time service in the Army and Navy without parents' consent (17½ in the R.A.F.). Can obtain a pedlar's certificate. Can drive a car, motor cycle or scooter. Can buy an airgun or shotgun and ammunition. Can have an airgun uncovered in a public place. Can drive road rollers. Can be sent to prison and parents need not be informed. Allowed to bring one bottle of spirits, one bottle of wine and 250 grammes of tobacco through customs duty free. Can fly an aircraft solo. Travellers from Common Market countries are allowed two bottles of spirits, six bottles of wine and 500 grammes of tobacco.

*This young motor cyclist has added one or two extra lamps to his sidecar outfit.*





*Television coverage helps to bring Election issues into the home. B.B.C. Election '70 with Robin Day.*

- 18**     **Age of Majority:** Can vote in elections for M.P.s and local councillors and in referendums. Can drink alcohol in licensed premises. Can use a betting shop. No legal restrictions on the number of hours worked by males. Can own land. Can obtain a mortgage. Can marry without parents' consent. Can see an X Certificate film. Must pay for normal dental treatment. Can make a will (before this age wills are only valid if made by a serviceman on active military service or by a merchant seaman at sea). Can receive loan circulars through the post. Can take part in gaming at a private party without parental consent. Can be hanged for treason, piracy with violence and arson in royal dockyards. Can travel abroad, that is, obtain a passport without parents' consent. Can be made bankrupt. Can act as a trustee. Can give a valid receipt. Can donate blood. Allowed to give a body organ or tissue for transplant. Eligible to pay full flat-rate Social Security Contributions and draw full flat-rate benefits and to pay earnings-related contributions and draw earnings-related benefits. Eligible for redundancy pay. Can be tattooed. Can change one's name. Full-time students no longer credited with Social Security Contributions. Eligible for jury service (subject to confirmation).



- 19 Males and females can join the police in England and Wales but males only in Scotland.
- 20 Women can join the police in Scotland.
- 21 Can obtain a pilot's licence to carry passengers and freight. Can drive a heavy goods vehicle, a public service vehicle and a taxi. Can stand for election to Parliament and to the Local Council. Can become a bookmaker. Can adopt a child if related to the infant.

#### Origin of the age of majority

It is clear that the greatest change in status comes at eighteen, recognised since January 1st 1970, as *the age of majority*. For many centuries before this in Great Britain, twenty-one had been accepted as *coming of age*, or *adult* status, but for no very clear reason. The origin of this magic age seems to go back to the Middle Ages. Then different ages were recognised as the beginning of adulthood according to a person's class in society. The son of a burgess, that is a citizen of a borough with full civic rights, was of full age when he could count money, measure cloth and conduct his father's business. The son of the better-off type of peasant was regarded as coming of age at fifteen, but the Knight's son came of age at twenty-one, the age apparently when he was considered strong enough to wield a sword effectively. This age, as the beginning of manhood, gradually became accepted by other social groups and became recognised in English law until the changes introduced in 1970.

The situation before the passing of the 1970 Act was a curious one, for while a person was considered an 'infant' until the age of twenty-one, he was treated as an adult in a number of ways. For instance, from the age of eighteen, he could be conscripted into, or made to join the armed forces; he had to pay full Social Security Contributions; and he could be hanged. From this same birthday he was allowed into public houses and there was no legal limit on the number of hours worked by men over eighteen.

Now the beginning of almost all adult responsibilities comes at the age of eighteen. However, a few peculiarities still remain: whereas one can enter full-time service in the Army or the Navy without parental consent at seventeen, a person has to be six months older ( $17\frac{1}{2}$ ) to join the R.A.F. Again, a person can see horses being slaughtered and their carcasses cut up at fifteen, but he cannot see an X Certificate film until eighteen.

### Further Work

1. Say whether or not you think it was a good idea to reduce the age of majority and the voting age from twenty-one to eighteen. Give your reasons.
2. At which birthday, apart from the eighteenth, do you think that the most important changes in a person's legal status come?
3. Are there any laws about the legal status at different birthdays which you think ought to be altered? For what reasons?
4. Make a list of any rules or conditions you know of that come with different birthdays and which are not shown in the table — for example, the age at which a person can join the Boy Scouts or Girl Guides.

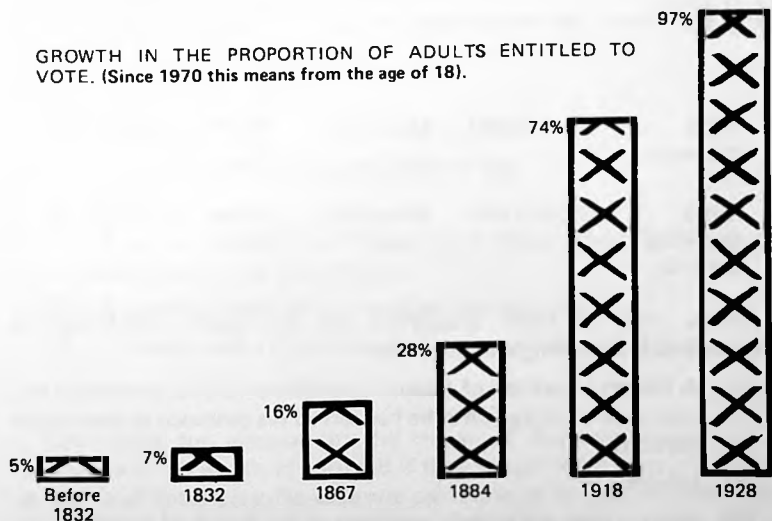
*Mr. Edward Heath talks with young voters.*





## Politics and the Vote

The right to participate in Central and Local Government by voting periodically for Members of Parliament and Local Councillors is now well-established in Britain. A century-and-a-half ago, however, the right to vote was severely restricted and many people had no say in the election of Councils or Parliament. A great deal of agitation — much of it violent and illegal — was needed before *universal franchise* was adopted, that is, the granting of the vote to all adults regardless of personal wealth, religion or sex. The table below shows the growth in the number of those qualified to vote in Parliamentary elections following the passing of new laws on representation.



	VOTERS	POPULATION	CHANGES
Before			
1832	509,000		
1832 (1 person in 22)	720,000	16 million	Very small extension of property qualifications to vote
1867 (1 person in 11)	2,231,000	24 million	Property qualifications lowered so that working-class in towns got the vote
1884 (1 person in 6)	4,965,000	30 million	Property qualifications in Counties made same as in Towns
1918 (1 person in 2)	19,984,000	42 million	Property qualifications abolished. All males over 21 and women over 30 could vote
1928 (2 persons in 3)	29,175,000	45 million	Votes for women at 21
1969 (5 persons out of 7)	39,000,000	55 million	Votes for all at 18

Today only a small proportion of the adult population is disqualified from voting and these are:

- (i) A person convicted of *treason* or a *felony* (crime) sentenced for one year or more [until he has served his sentence or received a pardon]
- (ii) infants
- (iii) peers — they are already members of the House of Lords

- (iv) those guilty of corrupt election practices [five years disqualification]
- (v) aliens — but excluding Irish and Commonwealth citizens.

The people who want to stand for election are called *candidates* and their qualifications are much the same as those for voters. Every candidate has to certify that he is not disqualified. People in the following groups are not allowed to sit as members of the House of Commons, i.e. to be M.P.'s.

1. Ministers of the Church of England
2. Ministers of the Church of Scotland
3. Ministers of the Church of Ireland
4. Roman Catholic Priests
5. Members of the Armed Forces
6. Persons holding offices of profit under the Crown, e.g. Civil Servants or Judges
7. Aliens
8. Lunatics
9. Anyone under twenty-one years of age
10. Peers
11. A person convicted of treason or a felony who is still serving a sentence of one year or more
12. A bankrupt until five years after his discharge
13. A person guilty of corrupt or illegal election practices.

Candidates for election to the House of Commons must pay a deposit of £150 which is returned if they obtain more than one-eighth of the total votes cast. No deposits are required in elections for Local Councils.

### Make sure of *Your* vote

In order to obtain his vote a person has to ensure that his name is on the *Electoral Register* for the area. This is made up at the end of every year from forms which are sent out to every home in the country to be completed and returned to the *Local Electoral Registration Officer*. These forms should include the names of all those living in the house who are over eighteen years of age on October 10th (the qualifying date) and also the names of those who will become eighteen during the following sixteen months, that is, those who are between sixteen years eight months old and eighteen years old.

Before the Electoral Register comes into official effect on February 16th of each year, lists of voters are sent to local libraries, post offices, Town Halls and Council offices. Between November 28th and December 16th anyone may look at the lists, but few people ever bother to check whether their names have been entered.

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#### THE REGISTRATION TIMETABLE

October 10th	Electoral registration forms to be returned
November 28th	Provisional registers (lists of voters) on display
December 16th	Last day for claiming a vote
February 16th	New Electoral Register in effect and it <i>cannot</i> be altered until the following year.

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### Referendums

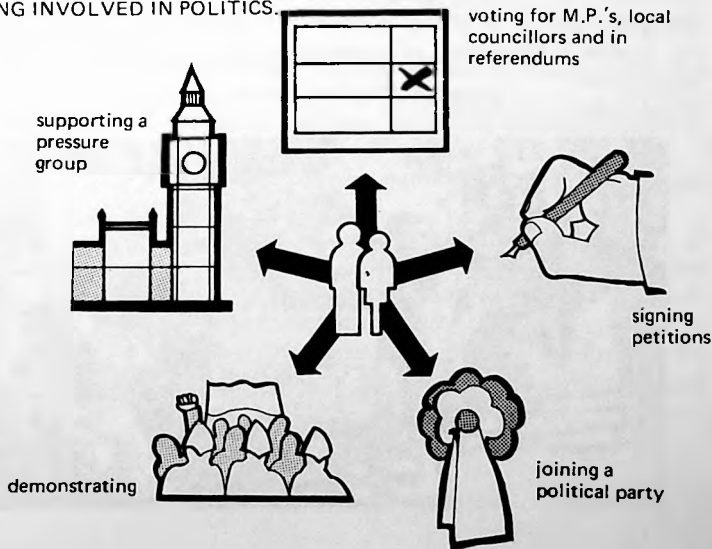
The vote may be used not only to elect a candidate to Parliament or the Local Council, but also to decide on an important issue. *Referendums* have been used in Britain for strictly local issues such as the question of opening cinemas and public houses on Sundays. If simple issues involving a straight 'yes' or 'no' are involved, the referendum is practical and useful. Where complex, technical matters are involved with no simple answers but instead a great range of possible opinions, it is impractical and unsatisfactory. The use of the general public's vote in this way is rare in Britain but quite common in other countries like France and the United States.

## Public Opinion Matters

Plenty of opportunities exist for playing a part in public affairs between Parliamentary elections, which after all do not take place very frequently, by participating in the activities of *pressure groups* or *interest groups*. As the name suggests, these are groups of people who work together to prevent something happening or to press for something to be done. They work by putting pressure on central and local governments, or sometimes other official bodies and private concerns. Some of these pressure groups are long established and permanent — the R.A.C. and the A.A. for example, or the Lord's Day Observance Society. Others may be temporary organisations which will disappear when their pressure has been successful or has failed. Examples of the efforts of this sort of group are campaigns against the siting of a new airport or a new road or against the introduction of fluoride into the local water supply.

Pressure groups try to use their influence in a number of ways: M.P.'s are *lobbied* (visited at the House of Commons) and written to, local Councillors are approached and questioned about the matter, public opinion is aroused by membership campaigns, car stickers and demonstrations and efforts are made to get publicity in the press and on radio and television.

### GETTING INVOLVED IN POLITICS.



A *petition* is a popular method of trying to get something done. In a petition to Parliament in 1969 against the amalgamation of some Scottish Highland Regiments, 1,034,532 valid signatures were counted. Many others were disregarded because they were in the same handwriting, were not followed by an address or did not appear on a sheet of paper with the wording of the petition at the top.

Although justifiable criticisms are sometimes made of the more extreme tactics employed by pressure groups – the use of *sit-ins* or boisterous demonstrations which may inconvenience people – the pressure groups themselves are as essential a part of our democratic political system in Britain as the right to vote.

Many people in Britain, however, choose not to use their votes and there may be as many as 10 million people who do not vote at a General Election. In the 1970 General Election, for example, although about 39 million people were entitled to vote, less than 30 million actually did so. In elections for Local Councillors the figures for non-voters are even higher and it is unusual for as much as 50 per cent of the voters in an area actually to bother to vote.

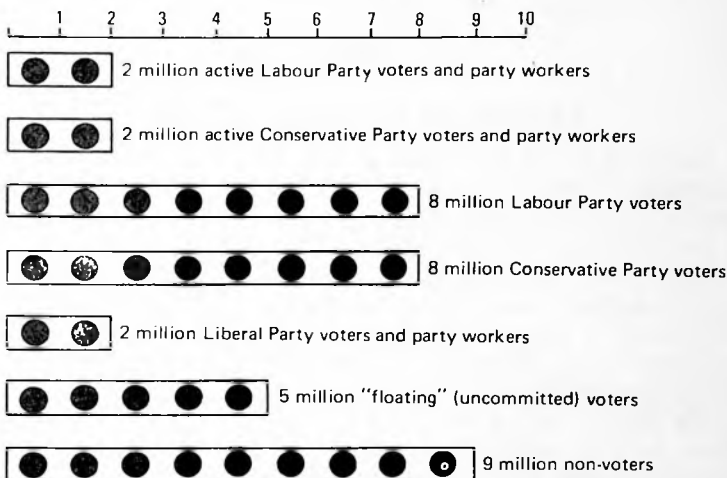
In a number of countries, Australia, Holland and Argentina, for example, voting is compulsory, and in Brazil voting is compulsory for men and women if they are at work. This means that to fail to participate in electing Governments is an offence. Voting has never been compulsory in Britain, presumably because to choose not to vote for anyone is considered as important a right as having the privilege of voting at all.

*Belfast students on a protest march.*





THE PATTERN OF VOTING IN GENERAL ELECTIONS FROM  
FROM 1945 TO 1970.



### Further Work

1. Explain whether or not you think voting should be made compulsory in Britain.
2. Why do you think so many people fail to vote for M.P.'s or Councillors?
3. Why do you think people holding *offices of profit* under the Crown cannot stand for election to Parliament?
4. Which of the changes in the laws on voting between 1832 and 1969 do you consider most important and why?
5. Despite their shortcomings, do you think that referendums should be used more widely in Britain?
6. Discuss some aspects of Local Affairs. Have you heard of anything being planned which will, in your opinion, spoil the area? Or is there something which could be done which would improve facilities in your neighbourhood?
7. Find out the names of your Local Councillors. Invite them to the school to answer questions you would like to put about Local Affairs.



## Outline of the Law

Most people obey the law willingly, because they know it is important to have an orderly society in which they can raise their families and go about their work.

The law is of two basic kinds — *criminal law* and *civil law*. If a person breaks the criminal law, the police and the State are involved and a form of punishment is given to the offender. In fact it is compulsory to obey the criminal law. Everyone knows this, although he may not know all the criminal offences, but ignorance of the law is no defence for breaking it.

The State does not use the police to find and catch people who break the civil law but it does provide a system of judges and courts to settle differences, decide blame and impose remedies.

More complicated is the other part of the law — the civil law. This involves disputes between rival parties like individuals, clubs, local councils, firms and so on, not between society as a whole and an individual, as in the case with the criminal side of the law.

### The Law of *Tort*

The civil side of the law is more complicated than the criminal side because some responsibilities are taken on voluntarily, the law concerned here being the law of contract as, for instance, when someone signs an agreement to buy a record player on hire purchase. But we have also to take into account the *law of tort*, and there is nothing voluntary about this. The word *tort* means a civil wrong, a duty imposed by law towards the public in general so that it is similar to criminal law in some ways.

Far enough back in English history there was no difference between crime and tort. Then the law did not concern itself with punishing people but with awarding compensation for wrongs. The following rates of compensation were laid down by King Ethelbert of Kent in the seventh century:

Murder	100 shillings
Loss of foot or eye	50 shillings
Disabled shoulder	30 shillings
Smashed chinbone	20 shillings
Loss of an ear	12 shillings
Loss of little finger	11 shillings
Loss of front tooth	6 shillings

As the country became more civilised, compensation became confined to less serious wrongs, and punishment was introduced for serious wrongs – offences which were regarded as harming the whole of society.

Today the workings of the civil law (tort) aim to keep standards of behaviour equal to those of *a reasonable man* – that is, we are expected not to do what a reasonable man would not do and are expected to do what a reasonable man would do.

The main 'wrong' in the lists of civil laws are *trespass* (to goods, to people or to property), *nuisance*, *negligence*, *defamation* and the liability of a house occupier to his visitors!

Examples of torts are shown in the table below together with the remedies that a court can provide:

TORT	REMEDY
Trespass to land (e.g. by unauthorised entry)	Damages or injunction
Trespass to a person (e.g. assault)	Damages
Trespass to goods (e.g. not returning a borrowed article)	Damages or restitution
Nuisance (e.g. continually holding late night parties so annoying neighbours)	Damages or injunction
Negligence (e.g. a motorist knocking down a pedestrian)	Damages

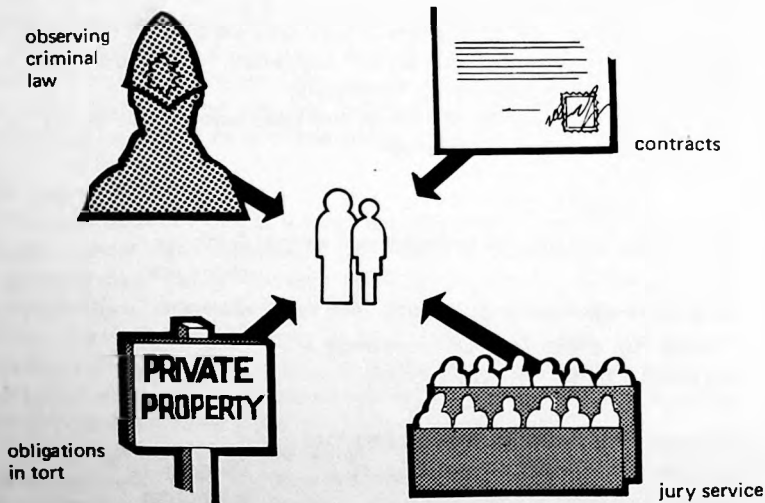
Defamation (e.g. making a false statement about someone in writing – libel – which injures his reputation)

Damages

Occupier's liability (e.g. a visitor to a house trips over a worn carpet and breaks an arm)

Damages

Legal action can be started by any *injured* party by the issue of a writ or summons – the *injury* may not be an actual physical one – and if the person taking the action, the *plaintiff*, is successful in winning the court case the *defendant* may have to pay damages as compensation, or may be ordered to stop doing something by an Order from the Court known as an *Injunction*. To ignore a Court Order is to risk a charge of *contempt of Court* and this is a criminal offence.



THE LAW: OBLIGATIONS AND DUTIES.

## Contracts

The voluntary obligations which a person takes on with a contract do not have to involve a written document. The sort of verbal agreement made in buying a ticket for a train, theatre or cinema, or having a meal in a restaurant is as much of a contract, legally enforceable, as a written document.

If a dispute over a contract is taken to court, the Judge considers the two points of view. He decides which party is right and may settle the matter by ordering the party at fault to pay *damages*. The Judge may also grant an *injunction* which, as we saw with torts, orders a person to do something to carry out his obligations, for example, a firm might be ordered to supply further goods if the first consignment was not as good as the contract specified.

Contracts made by certain people are not enforceable, for example, contracts made by persons of unsound mind or drunkards and contracts made by those under eighteen, except in certain circumstances. (See the table in Chapter one).

## The Criminal Law

Obligations under the Civil Law, then, involve the compensation of the person taking action if his case is successful. Punishment, however, is the action taken against a person who is found guilty of breaking the Criminal Law, that is of offending the community as a whole.

The most serious offences are called *indictable offences* (an indictment is a formal written accusation) and some of them, such as murder, must be tried by jury. However, some of these serious offences may be tried in a Magistrates' Court where there are never any juries, if the accused person wishes it. The less serious offences, the non-indictable or *petty offences*, are also tried in Magistrates' Courts.

*This is a very  
important part of a  
Hire Purchase Contract*

This document contains the terms of a hire-purchase agreement. Sign it only if you want to be legally bound by them.

Signature  
of hirer

*J. F. D. Giles*

The goods will not become your property until you have made all the payments. You must not sell them before then.

## EXAMPLES OF OFFENCES

### Indictable Offences

- (i) against public order — treason; unlawful assembly; riot and rout; bigamy; drunkenness; perjury; dangerous driving
- (ii) against the person — murder; homicide; cruelty to children; rape; assault; motor manslaughter
- (iii) against property — burglary; malicious damage; forgery; false pretenses; theft; embezzlement; arson; receiving stolen goods.

**Non-Indictable Offences** — minor traffic offences; offences under the Factories Acts; not complying with the Weights and Measures Act and the Food and Drugs Act.

## PUNISHMENTS

### Execution

Abolished for murder but still in force for treason and piracy with violence and arson in royal dockyards, although unlikely to be used.

### Life Imprisonment

Convicted persons do not know when, if ever, they will be released. When they are released it is 'on licence' and they may be taken back into custody again.

### Determinate prison sentences

A definite sentence of a specified length is awarded but this can be shortened by parole or remission. (See next chapter).

### Suspended sentences

A person is sentenced to gaol but is not actually imprisoned unless he commits another offence within a period set by the Court and this cannot be longer than three years. Suspended sentences are usual for first offenders but not for crimes of violence, possession of firearms and indecency towards someone under 16. Sentences of up to 6 months must be suspended and sentences of up to 2 years may be suspended

## **Borstal**

In place of prison for those aged 15 to 21. The minimum sentence is 6 months and the maximum 2 years. Offenders are supervised for up to 2 years after release.

## **Probation**

A second chance for an offender which involves supervision of his behaviour. Probation cannot be for more than 3 years or less than 1 year.

## **Discharge**

No punishment is awarded even though a person is guilty, but if a person is conditionally discharged and commits another offence within a period fixed by the Court, he may be punished for the original offence as well.

## **Recognisances (Also known as 'binding-over')**

This is really a contract to be of good behaviour and involves a sum of money being deposited with the Court.

## **Fines**

They vary from a small sum to many thousands of pounds. Time is allowed for payment of fines and they may also be paid in instalments.

## **Compensation**

A person who has caused damage to property may be ordered to pay up to £400 in compensation. For cruelty to an animal, a person may be ordered to pay up to £10 in compensation to the owner.

## **Service on a Jury**

In addition to having to be law abiding, a citizen may be required to help participate in administering the law by being called upon to serve on a jury.

Most owners of property and ratepayers occupying property above a certain value are qualified to serve on juries, but people in certain types of work are excused, for instance, lawyers, doctors, Ministers of Religion, veterinary surgeons, Members of Parliament. Persons who have served more than five years in prison are disqualified for life from jury service.

Persons liable for jury service are selected at random and the names of those chosen are shown on the annual register of Electors (see Chapter 2) with a capital letter 'J' next to their names.

Since 1967 juries, which consist of twelve persons in England and Wales, have been allowed to bring in *majority verdicts* if at least ten of the twelve jurors agree, but there must have been at least two hours deliberation by a jury before a judge can accept a majority verdict.

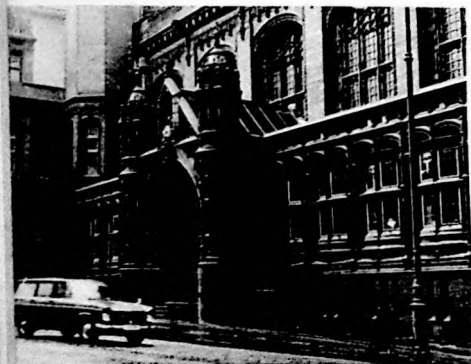
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#### WHO DOES THE JUDGING

(England and Wales)

Office	Duties
<b>Justices of the Peace (Magistrates)</b> About 16,000	Examine cases in Magistrates' Courts in preliminary hearings and try cases in Magistrates' Courts and Crown Courts. A bench must consist of at least two J.P.'s.
<b>Stipendiary Magistrates (called Metropolitan Magistrates in London)</b> About 60	Same duties as J.P.'s but they have legal qualifications so that they can hear cases sitting alone.
<b>County Court Judges</b> About 400	Deal with Civil cases involving £750 or less. Undefended Divorce cases and miscellaneous matters such as adoption.
<b>Recorders</b> About 270	Part-time Judges in Crown Courts or with a bench of Magistrates.
<b>High Court Judges</b> About 60	They hear Civil cases likely to involve more than £750 and try Criminal cases at Crown Courts, and defended Divorce cases. They also deal with Company, Trust, Charity and Probate cases.

*Birmingham Law Courts.*



#### The Courts and Juries

<b>Magistrates' Courts</b>	No Juries
<b>Crown Courts</b>	Always Juries
<b>Court of Appeal</b>	No Juries
<b>County Courts</b>	Juries very rare
<b>High Court</b>	Juries very rare (except in def- amation cases)



*Four judges attending a church service after the Autumn Assizes.*



#### Further Work

1. Explain whether or not you would be interested in serving on a jury.
2. Examine local and national newspapers carefully for a week and make a list of examples of cases dealt with by the Courts which involve offences (a) against public order, (b) against the person, and (c) against property.
3. Examine local and national newspapers carefully for a week and make a list of examples of cases dealt with by the Courts involving as many different types of tort as possible.
4. List the number of verbal contracts that you have made during any one day.
5. See if it can be arranged for a group of the class to visit a Courtroom.

## Some Legal Terms



An imaginary case — Hughes versus Jones.

Mr. Jones is building a fence between his garden and Mr. Hughes' garden. Mr. Hughes says, "You have put the fence over the boundary on my land. You must move it back two feet or I shall sue you for *trespass*".

Mr. Jones refused to move the fence that he had already built and went on building the next section, so Mr. Hughes visited his solicitor and started an action. As a result, the neighbours went to court. Mr. Hughes was complaining about his neighbour so he was the *Plaintiff*. Mr. Jones was defending his action of building the fence so he was the *Defendant*.

The Judge asks Mr. Hughes to prove that the piece of ground where the fence is, belongs to him. Mr. Hughes says he can get a plan which shows the boundary in a few days and asks that Mr. Jones is stopped from putting up any more of his fence until then. The Judge makes an *injunction* which orders Mr. Jones not to build any more for a week. If Mr. Jones did build more of the fence he would be held in *contempt of court* and could be sent to prison for this *offence*, i.e. disobeying the Judge's *order*.

A week later Mr. Hughes proves his case. The Judge orders Mr. Jones to remove his fence and awards £10 *compensation* to Mr. Hughes. The *compensation* of £10 has to be paid by Mr. Jones as *damages for trespass*.



## The Law: Rights and Privileges

The last chapter pointed out that an important difference between criminal law and civil law is *punishment* in one case and *compensation* in the other. However, this is not a hard and fast difference for it is possible for victims of criminal attacks to claim compensation from the *Criminal Injuries Board* out of money set aside for this purpose by the Government.

The table below gives examples of sums of money that have been awarded by the Board in recent years.

AWARD	DETAILS OF INJURY RECEIVED
£30,000	A woman had a leg and an arm amputated after being hit by a railway truck which had been uncoupled from the train by some children.
£11,200	A woman of twenty-nine was stabbed in the back by an intruder in her home and her spinal cord was damaged.
£11,006	A woman of thirty-one had a bottle of nitric acid thrown into her face by a man to whom she had opened the door. She was severely burned and badly disfigured.
£10,300	A process server was assaulted by the occupant of a house where he was serving a summons. His injuries resulted in cerebral thrombosis and he was off work for three years. As a result of the attack he was fit only for light work.
£ 3,256	A factory nurse of forty-eight was assaulted by an employee she was treating and was no longer fit for work.
£ 2,275	A boy of eleven lost an eye after an airgun had been fired at him by another boy.
£ 1,750	A football referee was struck by a player he had sent off the field. His jaw was broken and his left eye damaged.

- £ 1,750 A Norwegian seaman received injuries when drunks released the handbrake of a parked car which ran away and knocked him down.
- £ 1,066 A doctor was assaulted in his surgery by a patient with a billhook.
- £ 452 A man of twenty-one was attacked in a cafe and as a result lost part of an ear.

### **Parole and Remission**

Persons serving gaol sentences of at least three years have the right to have their sentences reviewed by the Parole Board for *release on licence* once they have completed at least one-third of their sentence. But if a person who is released on parole breaks the conditions of his parole he can be taken back into custody to serve the full sentence.

Well-behaved prisoners may have their sentences shortened. It is possible for one-third of prison sentences to be remitted for good conduct. But those who have offended against prison discipline or who are serving sentences of forty-five days or less are not eligible for remission of sentences. Of 2,971 prisoners released on parole in 1971, 227 (8 per cent) had to be recalled for breach of parole.

### **The Ombudsman**

In order that complaints against Government Officials can be investigated, the Government has appointed a person to carry out this job. He is known as the *Parliamentary Commissioner*, but is popularly called by the Swedish name of *Ombudsman* (grievance man).

All complaints which members of the public feel should be investigated must first be reported to a Member of Parliament who will pass them on to the Ombudsman. After the Ombudsman has thoroughly investigated the complaint he sends his report and his suggestions to the Member of Parliament concerned who passes the information on to the person who made the complaint in the first place.

The Ombudsman, however, does not have the power to investigate all Government activities and his inquiries can only be carried out in Government Departments and Ministries, in the Civil Service Commission and in the Central Office of Information.

## The Right of Appeal

Justice is a highly-prized quality in the British legal system and to make sure that every citizen is fairly treated, a system of *appeal* is built into the machinery of law. It means, generally, that in cases of doubt a second hearing before a different judge is possible.

In criminal cases, appeals can be made from a Magistrates' Court to either the High Court or the Crown Court. A person who is found guilty can appeal against conviction provided he did not plead guilty. The grounds for an appeal may be that the Justices came to the wrong conclusions on the facts or that the Court was mistaken as to the law which applied in the case, or on both grounds. Appeals can also be made against the sentence given by the Magistrates whether the plea was guilty or not guilty.

Appeals from Magistrates' Courts to the High Court are by what is known as *case stated*. This means that the person making the appeal asks the Magistrates' Court to *state a case*. This is a record of the hearing and gives the reasons for the Magistrates' decision. This statement of the case is the basis for the legal argument before the High Court Judges.

For cases heard for the first time in a Crown Court, appeal is to the Criminal Division of the Court of Appeal or to the High Court. Appeals can be on a point of law, on the facts of the case or against the sentence passed.

The highest Court of Appeal in the land is the House of Lords in both Civil and Criminal matters, but appeals are only allowed on a point of law or on a matter of public importance and there is no automatic right of appeal.

On the civil side of the law, appeals from a County Court go direct to the Civil Division of the Court of Appeal. Those appealing can ask for a judgment to be reversed or claim that the Judge misdirected the jury or claim that damages are not enough or are too much. The same applies to appeals from the civil side of the High Court.

## Arrest — Procedure and Rights

### ARREST WITH A WARRANT

The warrant need not be shown at the time of arrest but as soon as possible afterwards.



### ARREST WITHOUT A WARRANT

A policeman can do this if he has reasonable grounds for suspecting a person (i) is committing (ii) has committed, or (iii) is about to commit an offence.

A policeman must explain why he is arresting. Unless he is making an arrest, a person does not have to accompany him to the police station *unless* he is being searched for drugs or is taking a second breathalyser test.

Whether the arrest is with or without a warrant, the policeman must caution in the following words:

*You are not obliged to say anything unless you wish to, but what you say may be put down in writing and used in evidence.*

### RIGHTS AFTER ARREST

- (i) a person must be allowed to contact a Solicitor and family or friends.
- (ii) no photographs or fingerprints can be taken without the arrested person's permission unless the police have a Court Order.
- (iii) if the arrested person is charged with an offence he must be brought before a Magistrate within a reasonable time.
- (iv) an arrested person must be allowed to talk to his solicitor out of anyone else's hearing.

## Legal Aid and Advice

One of the well-established but little known social services of our Welfare State in Britain is that of giving legal aid and advice to people on low incomes who are, or might become involved in Court proceedings, criminal or civil.

### CIVIL CASES

Civil Aid Certificate (not for libel or slander) granted by local Legal Aid Committee which operates through the Law Society

*the legally aided person can be called upon to make a contribution which can be paid in instalments and he knows in advance how much this will be.*

### CRIMINAL CASES

a) legal aid certificate for cases heard before Magistrates.

b) defence certificate for cases heard in Crown Courts.

both certificates are granted by the Courts.

*the legally aided person may be required to make a contribution but does not know how much this will be until the case is over.*

The number of people using Legal Aid in Civil cases is about 7,000 annually. In County Courts over half-a-million cases are dealt with every year and it is common for a County Court dispute to be between a large business enterprise, legally represented, and a single individual who does not have a lawyer representing him.

Legal advice, as distinct from legal aid, is intended for the very great amount of legal work that never gets as far as a Law Court. The system is widely used. About 60,000 people make use of the scheme every year. Nearly 400,000 people are injured in road accidents every year, while there are also some 300,000 reported industrial accidents annually. Many of these cases must involve a need for legal advice from a Solicitor. It is worth noting that Trade Unions are often involved in cases which concern their members and many such cases are concluded by a Solicitor without the need of taking Court action or applying for legal aid or advice under the scheme.

There are some families that go for years without being involved in circumstances in which a Solicitor's advice is necessary. For most people, however, situations arise where the expert advice of a Solicitor can help them considerably by safeguarding their interests.

## Marriage

One of the most important institutions in modern society is marriage and the choice of a wife or husband is one of the most important decisions an individual is likely to take in their whole life. After all, the arrangements are intended to be permanent.

The law concerns itself in three ways in controlling marriage:

- (1) certain people are not allowed to marry
- (2) the marriage ceremony must be properly conducted
- (3) the marriage must be registered by an authorised person

## Prohibited Marriages

A person is not allowed to marry if he is already married — this is the crime of bigamy, a serious offence. Also no one under the age of 16 can marry. At 16 or 17 the consent of *both* parents is needed for the marriage in England and Wales but no consent is needed in Scotland. (As recently as 1929 it was possible to get married with parental consent from the age of 12). Finally, the Marriage Act, 1949, lays down that people who are closely related may not marry and these prohibited relationships are shown in the table below.

### A man may not marry his:-

grandmother  
step-grandmother  
grandmother-in-law  
mother  
mother-in-law  
mother's sister  
father's sister  
step-mother  
adoptive mother  
sister  
half-sister  
daughter  
sister's daughter  
brother's daughter  
daughter-in-law  
granddaughter  
step-granddaughter  
granddaughter-in-law

### A woman may not marry her:-

grandfather  
step-grandfather  
grandfather-in-law  
father  
father-in-law  
mother's brother  
father's brother  
step-father  
adoptive father  
brother  
half-brother  
son  
sister's son  
brother's son  
son-in-law  
grandson  
step-grandson  
grandson-in-law



In addition members of the Roman Catholic Church may not marry either a first or second cousin without the consent of a bishop.

### **The Ceremony**

The law requires that a ceremony must be conducted by a person or in the presence of a person authorised to register a marriage. Only a registrar and ministers of the Church of England and the Church in Wales are allowed both to perform the ceremony and register the marriage. However, priests and ministers of other religions are frequently authorised to register marriages.

Particulars of the two people getting married must be entered in a marriage register and signed by the couple, by two witnesses and by the person authorised to register. All marriages must take place between 8 a.m. and 6 p.m. unless the ceremony is one of the Jewish or Quaker faiths.

### **The Procedure**

England and Wales are divided into a large number of registration districts each with a superintendent registrar and he can issue two types of certificate:

(1) **A Certificate for Marriage:**

A couple must have lived at least 7 days in a registration district before giving notice of intention to marry. If they live in two different districts, they must give notice to the two registrars. The notice (or notices) of intended marriage are displayed for 21 days and if no objections are raised during this time, the registrar issues a Certificate for Marriage which is valid for 3 months. This is the type of certificate most commonly issued by a registrar.

(2) **A Certificate and Licence:**

This is used to speed up the marriage process. Notice of intention to marry need only be given to one registrar even if two districts are involved. But one of the two people must have lived in the district for at least 15 days. A Certificate and Licence can then be issued after the lapse of only *one* clear weekday.

In the Church of England and the Church in Wales, the equivalent of the display of the intention to marry is the reading of 'banns' in the two churches — or in one church if the couple live in the same parish — on three consecutive Sundays. Again, if no objections are raised the minister issues a certificate valid for 3 months. This process can be speeded up in the same way as a register office marriage by applying for a Common Licence. There is no reading of banns but one of the couple must have lived in the parish where the marriage is to take place for at least 15 days.

### **The Costs of Marriage (1972)**

#### **Registrar's Office**

Certificate for Marriage (if couple live in same district)	75p
Certificate for Marriage (if couple live in different districts)	£1.50
Certificate and Licence	£3.00
Marriage fee	£2.00
Marriage Certificate	25p

#### **Church of England or Church in Wales**

Calling banns	75p each church
Certificate that banns have been called	35p
Common Licence	£4.50

The overall cost of a church wedding is £9.00 excluding the services of an organist.

One final point of interest is that in whatever way the marriage is conducted, the wife *need not* take her husband's name.



## Social Security and Taxation

Until the early years of this century, the State provided hardly any protection for its citizens against misfortunes like sickness, accident and loss of work. If a father was without money to support his family, the only way in which the State helped was by providing a place in a workhouse where conditions were often very grim indeed. Families were broken up and sometimes the fit, the sick and even the insane were all forced to live together. People were prepared to suffer a great deal to remain in their own homes and avoid the workhouse, and the shame of having to live in such a place.

At the beginning of this century things began to change. Old age pensions were introduced in 1908 and a few years later a State insurance scheme for health and unemployment was started but it did not cover all those at work. During the 1920's and 1930's there was a gradual extension of State insurance, but it was in the years after the Second World War ended in 1945 that the modern 'Welfare State' was set up and is now said to look after us *from the cradle to the grave or from womb to tomb*.

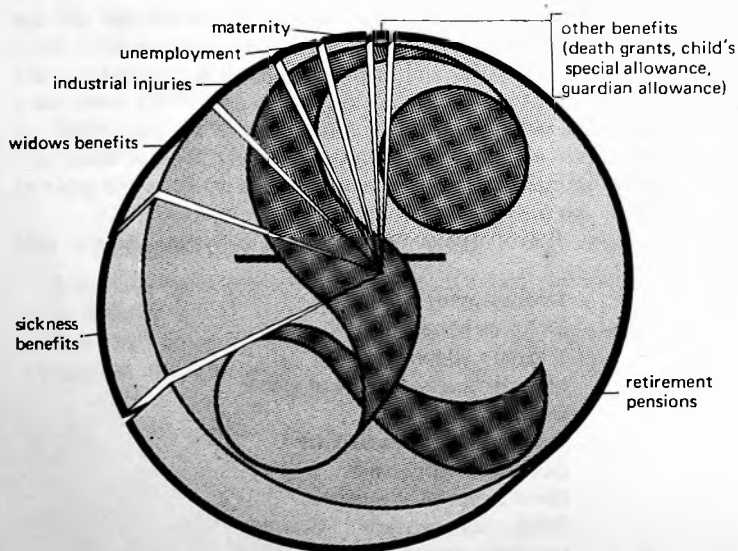
The complete list of Social Security cash benefits a person may qualify for now is:

- Unemployment benefit**
- Sickness benefit**
- Widow's allowance**
- Maternity allowance and grant**
- Death grant**
- Industrial injuries benefit**
- Guardian's allowance**
- Child's special allowance**
- Retirement pension**
- Invalidity benefit**
- Attendance allowance**

Additional sums of money are added to some of these benefits for dependants like wives and children. Those who are considered to be badly off even after receiving these cash benefits may get extra help called *Supplementary Benefit* (formerly called National Assistance). The diagram shows the relative amounts of money spent on the various Benefits.

Most Social Security benefits are paid to a person only if he has qualified by paying a minimum number of contributions, but Industrial Injuries Benefits are paid regardless of contributions. There is a *wage stop* on the amount of Benefit that a person can receive. This means that no one should receive more than 85 per cent of what they would have received if they were at work.

There are many thousands of people at work in Britain whose income is not high enough to allow them to provide for their families properly. In such cases the State pays a regular sum to them called a Family Income Supplement (F.I.S.).



WHERE THE MONEY GOES:  
How the social security and industrial injuries funds are divided.

The table below shows examples of the way in which three short-term Benefits have increased during recent years to allow for increases in the cost of living:

	1965	1967	1969	1971	1972
Sickness/Unemployment Benefit (adult males and single women)	£4.00	£4.50	£5.00	£6.00	£6.75
Sickness/Unemployment Benefit (males and females under 18)	£2.27	£2.50	£2.75	£3.30	£3.70
Industrial Injuries Benefit (adults)	£6.75	£7.25	£7.75	£8.75	£9.50

In addition to such flat-rate benefits as those shown above, those earning between £9 and £30 a week may be entitled to an earnings-related benefit which is equal to one-third of the amount between £9 and their average weekly earnings. For example, a person earning £18 a week would get £3 a week extra and one earning £24 a week would get £5.

Beside these cash benefits, we also have a National Health Service which is partly financed from Social Security contributions and partly from Taxation and certain charges, for example, prescriptions. The system of free primary and secondary education is paid for from Taxation and the local rates. (Rates are a form of local tax paid to the Council). Family Allowances are another benefit paid for from Taxation. Local rates also help to pay for services like Welfare Clinics, Homes for elderly people, 'Meals on Wheels' services and so on.

*A new form of Employment Exchange at Solihull, Warwickshire.*



### Who Pays For It?

Everyone at work in Britain — some twenty-five million people — has to pay something towards our Social Security system. There are tables available from Post Offices and from branches of the Department of Health and Social Security which set out the rates of payment. The payments are deducted from the employee's wages by the employer who uses the money to purchase National Insurance stamps from a Post Office. (Self-employed people buy their own). There are different rates according to age and according to sex. Everyone has to pay a flat-rate contribution and, in addition, all those earning between £9 and £48 or more a week have to pay a further sum called a graduated contribution. The exact amount payable in graduated contributions depends on whether or not a person is contracted out of the State Graduated Pension Scheme. From 1975 flat-rate contributions are to be dropped and only graduated contributions will be paid. The table shows what is paid weekly in Social Security contributions by men not contracted out of the State Graduated Pension Scheme: (1972 rates).

Weekly Earnings	Total Paid By Employee	Total Paid By Employer	Overall Contribution
£ 9 or less	88p	£2.25	£3.14
£20	£1.43	£2.80	£4.23
£30	£1.90	£3.27	£5.17
£40	£2.38	£3.75	£6.13
£48 or more	£2.73	£4.10	£6.83

Those under 18 only have to pay flat-rate contributions no matter how much they earn. The rates for young people which came into effect in 1972 are:

Employee's Contributions	Employer's Contribution	Total
Boys: 57p	£1.30	£1.87
Girls: 48p	£1.01	£1.49

As the income from these contributions is not enough to pay for the various benefits, the difference has to be made up by money collected from the various taxes that we pay. In fact, only about 80 per cent of the benefits can be paid for out of contributions.

## Compensation for Redundancy

Another Social Security payment that employees may benefit from is a redundancy payment which can be of great help to people looking for a new job after they have been declared redundant.

In order to qualify for redundancy pay, a person must have been with a firm for at least two years and be at least eighteen.

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### REDUNDANCY PAY SCALES

Ages	Entitlement
18-21	Half a week's pay for each year of service
22-40	One week's pay for each year of service
41-65 (women 60)	One-and-a-half week's pay for each year of service.

### EXAMPLES

Case	Amount Qualified to Receive (Tax free lump sums)
A girl of twenty who has been with a firm for two years earning an average of £12 a week	£12
A man of thirty-four who has been with a firm for four years earning an average of £15 a week	£60
A man of sixty-two who has been with a firm for sixteen years and earned an average of £20 a week	£480

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## The Citizen and His Taxes

Taxes are as old as civilisation and no doubt the grumbles of taxpayers are just as ancient. There are a number of different taxes which have to be paid in Britain in order to raise the money for the various services that the Government and Local Councils provide. The tax with which people are probably most familiar is *Income Tax* because of the P.A.Y.E. (Pay As You Earn) system of deducting the tax directly from wages and salaries. About one-third of the Government's money comes from Income Tax.

In order to know how much Income Tax a person is eligible to pay, two things need to be known: (i) the tax *allowances* he is entitled to and (ii) the *rates of taxation* in force at any time.

The table shows a few of the important allowances that have been in effect in recent years. Besides those shown there are many others which can be claimed, for instance, allowances for children, for Life Assurance Premiums, for the interest paid on a mortgage loan, for overalls and tools and a number of others. Many people pay more Income Tax than they need because they do not know of the allowances to which they are entitled.

	1963-65	1965-69	1969-70	1970-72	1972-
Married allowance	£320	£340	£375	£465	£600
Single person's allowance	£200	£220	£225	£325	£460
Child's allowance (up to age 11)	£115	£115	£115	£135	£155

Once the total amount of the allowances is known, the tax due to be paid for the year can be calculated. The total amount of the allowances is subtracted from the person's overall income and what is left is taxed at 30p in the £.

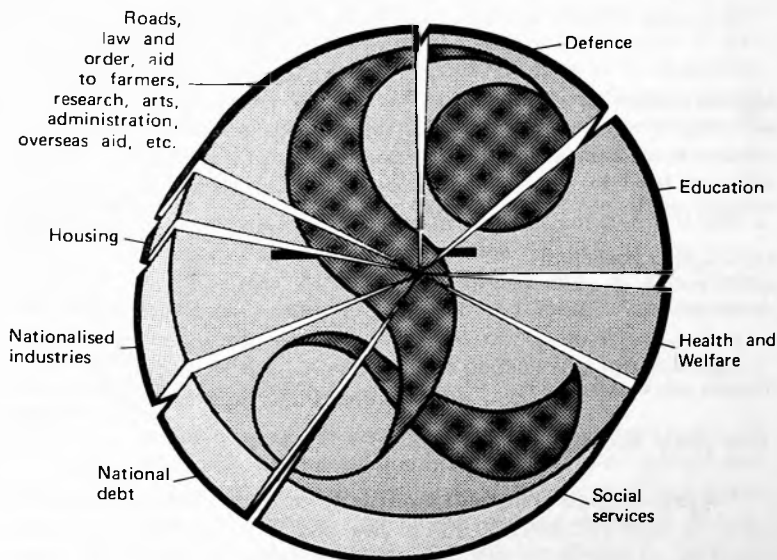
For example, a married person who earns £900 a year and who has one child under 11 would be in the following tax position:

Married Person's allowance	=	£600
Child's allowance		£155
Total allowances	=	£755
Total income		£900
Total allowances		£755
Taxable income	=	£145

The taxable income is taxed at 30p in the £  
 $£145 \times 30 = £43.50$  or about 83p a week.



It is possible for a person's total allowance to amount to more than his income which means, of course, that he does not have to pay any Income Tax at all. People on very low income and those with large families are likely to find themselves in this position. In fact, of the twenty-five million people at work in Britain, only about seventeen to eighteen million actually pay Income Tax.



HOW THE GOVERNMENT SPENDS ITS INCOME.

### Other Taxes

As we have seen, Income Tax raises about one-third of the money needed for running the country. About another sixteen per cent comes from other direct taxes such as *Capital Gains Tax* paid by people selling at a profit land, buildings — except their own homes — and shares), *Corporation Tax* (paid by companies) and *Surtax* which is a sort of super Income Tax paid by those with very high incomes.

All these taxes bring in over a half of the money the Government needs. The rest is mainly raised through indirect taxes, the best known of which are *Tobacco Tax*, *Petrol Tax*, *Road Tax* (motor vehicle licences) and *tax on beer, wines and spirits and gambling*. The newest indirect tax is *Value Added Tax (V.A.T.)* introduced in 1973 to replace two previously existing taxes — *Purchase Tax* and *Selective Employment Tax (S.E.T.)*.

An example of how V.A.T. works with the rate fixed at 10%:

	Price before tax	Tax on Transaction	Tax paid to tax authorities
Producer imports raw material with value of	£10	£1	£1
Producer makes a semi-finished article and sells it to manufacturer for	£20	£2	£1 (£1 already paid by the producer)
Manufacturer makes final article and sells it to a retailer for	£50	£5	£3 (£2 already paid by producer and manufacturer)
Retailer sells to customer for	£70	£7	£2 (£5 already paid at previous stages)
Total paid by final customer =	£70	+	£7 = £77

The total amount of money raised by all forms of taxation, including rates, is over £20,000,000,000 a year and it is clear that the great majority of people in Britain are contributing to this total either through direct or indirect taxes or both. Visitors to Britain, such as tourists, also make a contribution for they cannot avoid paying taxes of some sort almost from the first moment they set foot in the country.

## NATIONAL HEALTH SERVICE

### Summary of Main Rights and Obligations

Anyone in Britain can use the N.H.S. including visitors to Britain if they fall ill here or have an accident. We have reciprocal agreements with a small number of other countries.

- Chemists:** Doctors' prescriptions have to be paid for except for those under fifteen, pensioners, nursing mothers and a few others. The Local Executive Council requires that at least one Chemist shop in each area be open at all reasonable hours. Every Chemist when closed should display a notice informing the public of places open for prescriptions. Complaints about unsatisfactory service have to be made to the Executive Council.
- Dentists:** It is not necessary to register with a Dentist as it is with a Doctor, and so you can change Dentists at any time. Anyone over sixteen can choose his own Dentist. Dental treatment must be paid for by those over eighteen except for routine examinations. Complaints go to the Clerk of the Local Executive Council who can also supply a list of all Dentists in the area.
- Doctors:** Anyone of sixteen and over can choose his own Doctor. If you wish to change Doctors, the consent of the old and the new Doctor must be obtained. In case of difficulty the Local Executive Council can supply a list of N.H.S. Doctors. Complaints about treatment should be made to the Clerk of the Executive Council.
- Hospitals:** Treatment, either as an in-patient or an out-patient follows reference from a Doctor, except for treatment for Venereal Disease. Treatment can be obtained following accidents or other emergencies without reference from a Doctor. After eight weeks as an in-patient, deductions can be made from Social Security benefits towards the cost of maintaining the patient. A patient can leave hospital at any time, but if this is against medical advice, he must sign

a form taking the responsibility for this action. *Amenity beds* in single rooms or two-bed or three-bed rooms can sometimes be obtained but have to be paid for. A patient must give his consent for an operation to be performed on him. In the case of those under age, parents must consent. Complaints about hospital treatment should be made to the Local Hospital Management Committee. Any hospital will give the address of the Committee or it can be obtained from the *Citizens' Advice Bureau*.

**Local Health Authority Services:** There are some things that *must* be supplied, for example, midwife service, health visiting and vaccination and immunisation, and some that *may* be provided, for example, domestic help at home. Complaints should be made to the Chairman of the Health Committee or the Local Medical Officer of Health. A Local Councillor should also be able to help.

**Opticians:** For a first eye test, a Doctor must refer you to an Optician but this is not needed for later tests. There will normally be a charge for spectacle frames and lenses. Complaints should be made to the Clerk of the Local Executive Council.

*In this ward at East Birmingham Hospital the patients are treated by their own family doctors.*



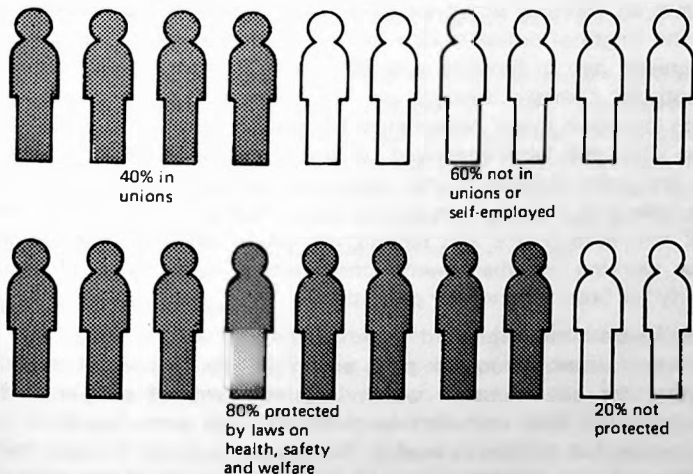


## The Situation at Work

### Laws about Employment

There are two groups of laws involved in a person's position at work: the laws involving the positions of trade unions and their members and the laws which lay down *minimum working conditions* on matters like *safety, health and welfare* and regulate *redundancy pay*, methods of *paying wages* and rights to notice of *termination of employment*.

But there are a considerable number of people at work in Britain who are not protected by the laws relating to work. For example, the laws affecting unions mean nothing to a person who works in a place where unions are not recognised as negotiating bodies



THE POSITION OF THE 25 MILLION PEOPLE AT WORK IN  
BRITAIN.

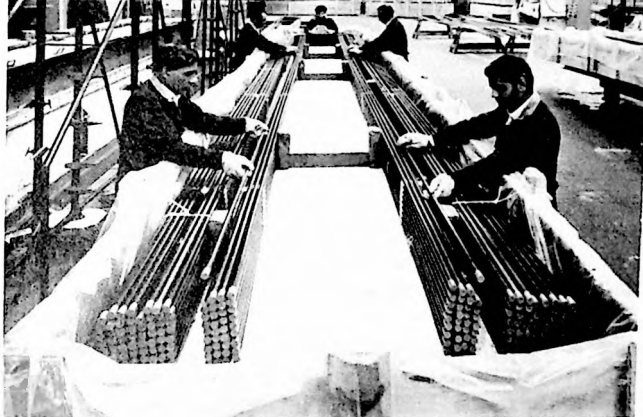
Again, at least five million people, about twenty per cent of those at work, are not covered by the Acts on safety, health and welfare. The places unaffected by these Acts are schools, technical colleges, universities, place of indoor entertainment, hotels, parts of hospitals, construction huts and road haulage depots.

In all other places of work the law lays down minimum conditions of work to which employees are entitled, but trade unions may negotiate improvements on these basic conditions through voluntary collective bargaining agreements. Even so, there are shortcomings in the laws protecting employees. For example, Britain has no legal control over noisy machinery and there is no entitlement to compensation for deafness caused by working conditions. In many jobs — office work, road and rail transport and agriculture — working hours for young people are not controlled except for night work. Again, the position of women at work is odd: if a woman works in a factory or shop she cannot normally be employed after 8 p.m., but if she is a nurse, bus conductress or waitress she may work to any hour or even all night.

Laws on methods of paying wages, compensation for redundancy and the length of notice of dismissal an employee is entitled to, cover the greater part of those at work in Britain. But once more there are exceptions: domestic servants are not protected by the *Truck Acts* which lay down that a person must be paid his wages in money, while those who have been employed for less than two years by a firm or who are under eighteen do not qualify for redundancy pay; those who have been employed for less than thirteen weeks are not entitled to a legal minimum notice and neither are crown servants, seamen and those working less than twenty-one hours a week, none of whom qualify for State redundancy pay either.

### **Trade Union Membership**

Trade Unions obviously play an extremely important part in creating the conditions in which large numbers of people in the country spend their working lives. Although only some ten million of the twenty-five million at work in Britain are in Trade Unions, many millions of non-members work in places where voluntary collective bargaining between Unions and Management apply to them as well. In



*Packing precision steel tube made at the Broadwell Works of Accles & Pollock Ltd., Oldbury, Worcestershire (Tube Investments).*

addition, Unions are consulted on compulsory conditions of work laid down by law such as those in the Factories Acts.

In contrast with the ten million membership of Unions, the number of members attending local meetings of Unions is usually very small indeed. Sometimes this apathy can allow the control of a local branch to pass into the hands of people who are not really representative of the local membership as a whole but who are very active in Union affairs.

Over the years Unions have become involved more and more in matters like redundancy pay, changes in work procedure, the introduction of new machinery, sick pay schemes, cheap canteen meals, works sports facilities and various other sorts of so-called *fringe benefits*. It seems clear that in the future this process will continue and Unions will become even more involved in general welfare facilities which used to be the responsibilities of employers alone.

### **Workers' Participation**

The opportunities for participating in making important decisions at places of work in Britain is not as great as in some countries. In West Germany one-third of the *supervisory board* in any industry — a half in the case of the coal and steel industry — must be elected by employees. The supervisory board gives instructions to an *executive board* which is roughly equivalent to the *board of directors* of a British company.

In Yugoslavia the typical factory or workplace has a *workers' council* on which all employees from fitters to typists are represented by fellow workers elected for four years. The job of the council is to manage the factory and take the major decisions involved in running the place on matters like the organisation of production, the purchase of materials, the price of the product and the distribution of income from sales.

Hardly any examples of the West German or Yugoslav type of management is to be found in Britain. To a very limited extent some participation is to be found in the arrangements known as *joint consultation* which is compulsory in nationalised industries but not in private ones. In theory, joint consultation should mean a sharing of authority between Unions and Management, but in practice discussion is usually limited to discussing everyday grievances and rarely on policy matters.

#### **Profit Sharing**

Another way in which workers can become involved with their employment is through profit-sharing schemes. The advantages of such schemes are said to be that they help to keep incomes in line with productivity, they provide incentive for workers to take greater interest in their work and they help to increase the growth of the British economy.

In France it is compulsory for workers in places employing more than 100 people to be given a share of the profits made. In Britain, however, only a small number of firms do this on a voluntary basis, for example, Texas Instruments Ltd. of Bedfordshire, where the average share of profits given to workers is 6.5 per cent of their wages.

#### **Further Work**

1. Would you like to see any further rights and duties added to the list given in this chapter, or are there any rights and duties that you think should be removed?
2. Should profit-sharing schemes be made compulsory in Britain as they are in France?
3. Should there be workers-directors in British firms as there are in West Germany?
4. Find out all you can about the structure of Trade Unions.



## **SOME OF THE ACTS PROTECTING PEOPLE AT WORK**

Truck Acts  
Mines and Quarries Act  
Agriculture (Safety, Health and Welfare) Act  
Factories Act  
Offices, Shops and Railway Premises Act  
Contracts of Employment Act  
Redundancy Payments Act  
Employers Liability (Defective Equipment) Act  
Industrial Relations Act

## **SUMMARY OF MAJOR RIGHTS AND OBLIGATIONS AT WORK RIGHTS**

1. An employee must be given one week's notice after thirteen weeks of service, two weeks' notice after two years, four weeks' notice after five years, six weeks' notice after ten years and eight weeks' notice after fifteen years unless dismissed for misconduct. Money may be paid instead of notice.
2. If an employee is made redundant, after at least two years' service and if he is at least eighteen, he qualifies for tax free redundancy pay.
3. An employee is allowed to strike with certain restrictions on the police and merchant seamen.
4. Employees are allowed to picket peacefully except at an individual's home.
5. An employee must be allowed to belong to a union.
6. Where an agency shop is in existence, an employee does not have to belong to the union concerned but he must pay contributions to that union or to a charity.
7. If an employee works in a concern employing more than 500 people he must be issued with an annual statement about the undertaking.
8. A worker cannot be dismissed for taking part in a strike unless other strikers are dismissed with him.
9. A worker cannot be discriminated against because of his race, colour or creed.
10. Working to rule is allowed but going slow is in breach of contract.
11. An employee can contract out of paying his union's political levy.
12. An employee is entitled to State Industrial Injuries Benefit if

injured at work or if he contracts an industrial disease. Sickness and unemployment benefit may be claimed.

13. A worker must be paid in legal tender unless he makes a written request otherwise.

14. Employees are entitled to public holidays or days off instead.

15. An employee cannot be unfairly dismissed. (Fair dismissal must involve conduct, qualifications, capability or redundancy).

16. An employee's union must be given essential information about a company to assist it in collective bargaining.

17. An employer must take reasonable steps to ensure the safety of employees. The employer is liable for any accident occurring to someone in the course of employment.

18. An employee can be awarded up to £4,160 or 104 weeks' pay, whichever is less, for unfair dismissal.

19. A worker on strike can claim social security benefit for his dependents and may also be able to claim an income tax rebate.

#### **OBLIGATIONS**

1. An employee must give one week's notice after thirteen weeks' service.

2. An employee must give faithful and honest service and not disclose trade secrets.

3. Reasonable care and skill must be used by an employee.

4. Employees must obey lawful orders and not commit misconduct.

5. An employee must act personally and cannot delegate his work without prior agreement.

6. Notice of strike action should be given but a union may be ordered to suspend strike action for up to sixty days. Unions may be required to hold a ballot of members on whether they are in favour of strike action.

7. A collective bargaining agreement (in writing) is presumed to be legally binding unless the agreement states otherwise.

8. A union which loses a case brought against it for unfair practice may have to pay compensation.

9. Social Security Contributions must be paid.



# Protecting the Consumer

Everyone in Britain today is a consumer of a great variety of goods and services. Fortunately, a number of laws, official bodies and voluntary organisations exist to ensure that proper standards are maintained and improved. The chances of our being cheated, and parted from our money without getting value for it are reduced. Even so there is still a real art in shopping for value.

The first line of defence for the consumer is five important laws giving basic protection:

- The Sale of Goods Act
- The Weights and Measures Act
- The Food and Drugs Act
- The Hire Purchase Act
- The Trade Descriptions Act

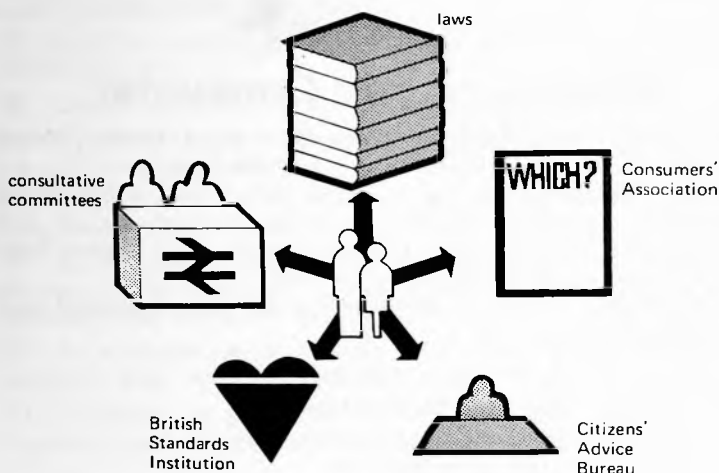
### The Sale of Goods Act and Guarantees

This Act lays down that unless otherwise agreed goods should be reasonably fit for the purpose intended, and that the seller must have the legal right to sell the goods. If the goods prove faulty, the customer can claim the right to have the goods replaced or repaired. That is providing the customer refuses the article when it is delivered.

Guarantees provided by the manufacturer should be looked upon as something extra on top of the rights under the Sale of Goods Act, and can sometimes be useful if a person cannot get satisfaction under the terms of the Act.

A good guarantee promises to replace an article or repair any faults within a stated period but, unfortunately, there are some guarantees which take away a buyer's rights under the Sale of Goods Act. Such guarantees include a phrase something like: *All conditions and warranties, express or implied, statutory or otherwise, are hereby excluded.* Such guarantees have to be looked at with great caution.

## PROTECTION FOR THE CONSUMER.



### The Trade Descriptions Act

This makes it a criminal offence for traders knowingly to make certain kinds of untrue statements about the articles, prices and services they are offering. Examples of offences would be describing an article as 100 per cent wool when it is partly artificial fibre; claiming that the goods are supplied to a prominent person when they are not, and stating that a seaside boarding house is only five minutes walk from the sea when it is really very much further. The Act also states that any trader who charges a sale price must have charged the old price for at least twenty-eight days in the previous six months.

Spoken, as well as written statements, including advertisement, are covered by the Act, and it is the job of the local *Weights and Measures Inspector* to enforce the law.

### Weights and Measures, Food and Drugs

Acts passed between 1878 and 1963 make it compulsory for a great range of articles to be sold by weight, measure and capacity to protect consumers against short weight and short measure. A large number of

things must now be sold by a specified weight: for example, tea must be sold in packets containing 1, 2, 4, 8 or 12 ounces or in 1 pound packets so that a 9 ounce packet of tea, for example, would be illegal. Other items need not be sold by a specified weight and need only show the weight on the label. This is the position with biscuits and also with detergents so that a *family size* detergent packet may vary in weight from brand to brand.

Some things may be sold by number as well as by weight, for example, apples and oranges; some things must be sold by measure — elastic and ribbon are two — and others must be sold by capacity, for instance, whisky, gin, rum and vodka must be sold in multiples of one-sixth of a gill.

The *Food and Drugs Act of 1955* is designed to protect consumers from misleading descriptions and ensure that food and drink is fit for human consumption. It also lays down standards of cleanliness for shops, restaurants, food factories and so on.

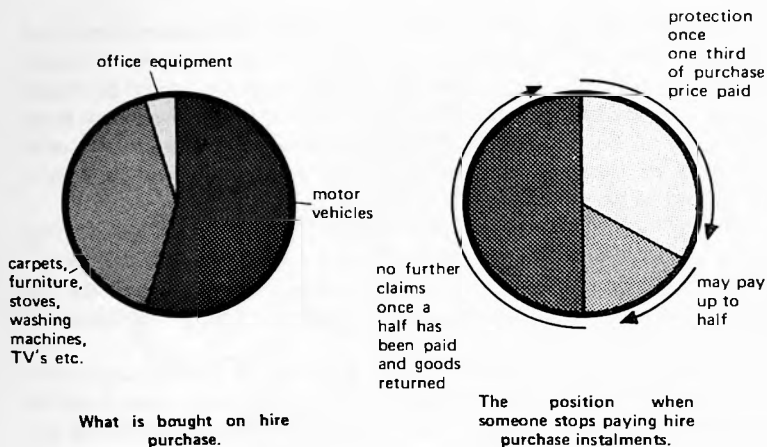
The Act states — among other requirements — that sausages must have at least fifty per cent meat content (sixty-five per cent in the case of pork sausages), butter must contain not less than eighty per cent of milk fat and orange squash must contain at least twenty-five per cent of orange juice.

These two Acts are enforced by the local Weights and Measures and Public Health Inspectors.

### Hire Purchase

The *Hire Purchase Act, (1964)* lays down regulations about hire purchase on articles whose H.P. price is between £30 and £2,000. At one time the articles could be repossessed if the hirer did not keep up his payments regularly. Under the regulations now, once a third of the *Weights and Measures Department inspector checking equipment (City of Coventry).*





hire purchase price has been paid the Company cannot repossess the article unless it first obtains a Court Order for repossession. Usually this means the hirer has time to get the required money for the payments together and he can go on with the agreement. If the article is repossessed and the hirer has not yet paid a half of the hire purchase price, he may have to pay up to a half.

A hirer can end the agreement at any time if he does so in writing but, again, if he has not paid a half of the hire purchase price he may have to pay up to that amount.

The Act also gives extra protection where an agreement is signed by a customer in his own home by allowing a *cooling off* period in which an agreement may be cancelled without any further obligations. The hire purchase price must be at least £30 and at least five instalments must be involved. The protection also extends to credit sale agreements made in the home. The main differences between hire purchase and credit sale are that with the former the article only becomes the property of the customer with the *last* payment, but in the case of credit sales the article becomes the customer's property with the *first* payment. Also, credit sales agreements — except those signed at home — cannot be cancelled at any time as hire purchase agreements can.

A person wishing to cancel an agreement made in his own home must do so by posting back his copy of the agreement, which will have been sent to him through the post, by the third day after receiving it. This means that on average a person has a *cooling off* period of five days in which to change his mind.

Monday	Customer signs
Tuesday	
Wednesday	Customer receives copy
Thursday	
Friday	
Saturday	Last day for posting back cancellation
Sunday	



### Further Legal Protection

There are six other laws giving consumers protection which back up those already described. Their main points are shown in the table.

#### Road Traffic Act, 1960

Lays down safety standards for crash helmets and rear lights.

#### Consumer Protection Act, 1961

Lays down safety requirements for portable oil heaters, gas and electric fireguards, children's nightdresses, carry-cot stands and toys. Prohibits the use of celluloid in toy manufacture except for table tennis balls. Restricts the amount of lead allowed in paint.

#### Plant Varieties and Seeds Act, 1964

Lays down standards for lawn grasses and flower seeds.

#### Resale Prices Act, 1964

Makes it illegal for manufacturers to impose prices at which goods must be sold by retailers.

#### Trading Stamps Act, 1964

Restricts promotion of trading stamp schemes and lays down that stamps can be exchanged for cash.

#### Unsolicited Goods and Services Act, 1971

A person who receives an article for which he has not sent can dispose of it in any way he likes after 6 months. If he writes to the supplier asking him to collect the article, he can dispose of it in 30 days if it is not collected.



*Users of British Rail services are represented on the Consultative Committee.*

### **Nationalised Industries and Complaints**

Although so much valuable protection is provided by the law, few people seem to be aware of their rights. Few people know of the existence of the Consultative Committees in the Nationalised Industries — gas, electricity, coal, the Post Office and road and rail transport. These Committees deal with complaints about service and bring shortcomings to the attention of the Minister concerned.

### **The Consumers' Association**

The Consumers' Association is a private organisation. The Association tests a variety of products regularly and publishes its results in the monthly magazine *Which?* There are also local branches of the Association which test and report on local products and services.

### **The Citizens' Advice Bureau**

Most cities and towns have a branch of the Citizens' Advice Bureau which can give information and advice on consumer matters and basic legal rights. The C.A.B., however, cannot follow up cases on behalf of individuals.



To overcome some of the existing shortcomings concerned with quality and standards of goods and services, the Consumers' Association has suggested that there should be set up all over the country *consumer shops* or *consumer clinics* which would have a full-time Solicitor in attendance and would be able to follow up cases.

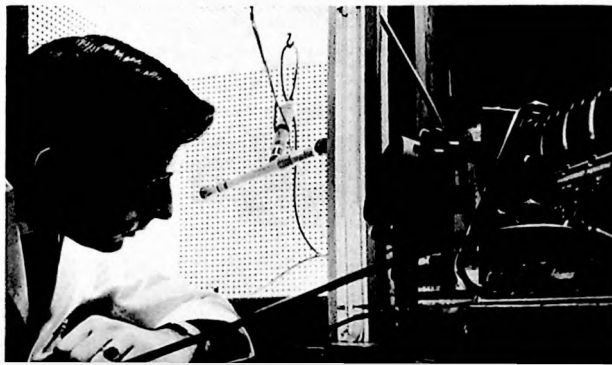
### The British Standards Institution

Further protection for the consumer comes from the work of the B.S.I. which lays down standards for a wide range of manufactured products. However, makers do not have to keep to these standards except in the case of three things — crash helmets, oil heaters and non-flammable nightdresses for children. The Institution will test any product a manufacturer wants to submit, and if it meets the standard required it is awarded the *Kite* mark of approval. This is considered to be a reliable indication of the quality of the article.

### Further Work

1. "Hire purchase consists of being persuaded by a man you don't know to sign an agreement you don't read to buy furniture you don't want with money you haven't got". How much truth is there in this humorous comment of a County Court Judge?
2. What is your opinion of the Consumers' Association's suggestion for setting up 'consumer shops'?
3. Do you think there should be any further legal protection for consumers or are the present safeguards adequate?
4. What ideas do you have for making people more aware of their rights as consumers and of the organisations that exist to help them?

*Engineer at the B.S.I.*

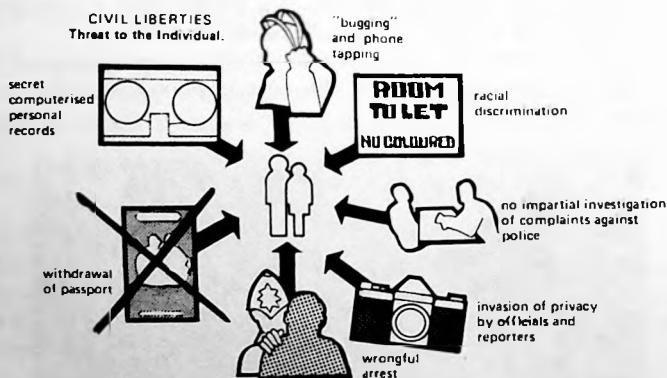




## Civil Liberties and Voluntary Work

Despite the many safeguards provided by the law for the protection of the individual, there are still a number of circumstances in which a citizen may find himself unprotected and a victim of unfair procedures.

One of the main reasons why this is the case is because we do not have in Britain a *Bill of Rights* such as is found in a number of other Countries. A Bill of Rights would lay down essential liberties to which individuals were entitled, the most important of these being freedom of religion, freedom of speech, freedom of assembly, freedom of movement, freedom from arrest without good reason and provisions for ensuring that citizens could take action against the State or Government Officials for any wrongful act which caused an individual to suffer. Unfortunately, as Chapter Four showed, despite the existence of the Ombudsman, there is no right to obtain damages against Government departments, even though investigation may show officials to have been in the wrong.



### Threats to Privacy

Technical developments in the modern world are making it all too easy to interfere with the privacy of the individual. We like to think of personal privacy as one of our basic rights. Hidden microphones *bugging* conversations, telescopic lenses, tapped telephones, private information fed into computers about a person which he cannot check and the removal of organs for transplant surgery without permission, are all examples of technical and scientific developments which can undermine our privacy. In addition, there are other developments to cause concern to some people like the growth of private security organisations and private detective agencies — there are now over 15,000 private detectives in Britain — and the right of over 10,000 officials from Customs and Excise officers to gas meter readers to enter our homes without permission.

A committee set up by the Government to report on threats to privacy, recommended in 1972 that electronic bugging should be made a criminal offence and it also wanted private detectives to be licensed. The committee further recommended that people should be given information about their credit rating with agencies which collect personal information about their pay, their debts, their prospects and so on. The credit rating a person is given helps to decide whether he is considered a good risk for a hire purchase contract or in getting a loan. However, the committee did not recommend making privacy a legal right as it is in many other countries.

### Racial Discrimination

The population of Britain has become more mixed in recent years because of the movement into the country of coloured people from Commonwealth countries, particularly from the West Indies and India and Pakistan. The total proportion of the population which is coloured is very small, only about two per cent (that is, about one million or so in a total British population of about fifty-five million), and it is unlikely that the proportion will be more than about five to six per cent even by the end of the century.

To protect coloured immigrants in this country, two laws have been introduced. The first of these, the *Race Relations Act, 1965*, makes it

a criminal offence to *incite racial hatred*. The second measure, the *Race Relations Act, 1968*, makes it unlawful to *discriminate against a person on grounds of colour, race or national origin in the providing of goods and services and in employment and housing*.

The 1968 Act set up a *Race Relations Board* with nine area Committees in different parts of the country. Anyone who considers he has been discriminated against can make a complaint to the Board or an area Committee which will investigate the complaint and try to reconcile any difficulties. If the person against whom the complaint has been made continues with his discrimination, he may find himself involved in a Civil Action. If he loses the case he may have to pay damages. An important difference between the 1965 and 1968 Acts is that in the first, a Criminal offence is committed by anyone inciting racial hatred, but in the second no crime is committed if a person discriminates on the grounds mentioned, although a Civil action may be started.

### **Other Matters for Concern**

Threats to privacy and the existence of racial discrimination are, of course, not the only dangers to our Civil liberties. Other matters for concern are that: complaints against the police are investigated by the police themselves; our passports can be withdrawn at any time or not even issued in the first place; and that young teenagers can join the forces at fifteen and contract themselves to serve for long periods without having the right to purchase a discharge later.

### **Voluntary Work and Charities**

Although Britain has been a Welfare State for about a quarter of a century, as we saw in Chapter Five, there are still many things that the Government does not provide and there is still a great need for voluntary work of one kind or another.

Help is needed by tens of thousands of people in the country, particularly the elderly, the mentally and physically handicapped and children. In addition, there are those like discharged prisoners and the homeless who are often in need of assistance from the luckier members of Society. Large sums of money are always needed by private organisations carrying out research into such diseases as cancer and spina bifida.

There is a great range of types of voluntary work and most people can find something to suit their particular interests and abilities. Not only do voluntary societies make use of volunteers, but many public authorities like hospitals also make use of the unpaid services of volunteers.

Voluntary work can be done behind the scenes. For example, there is a great need for people to do routine clerical work in offices or even at home. Collecting books and magazines for hospitals or delivering meals are other important roles for volunteers.

Closely connected with voluntary work is the charity movement and, in fact, many of the voluntary organisations are registered as charities. There are over 70,000 of them in Britain raising about £30 millions every year, and most of them need help on flag days or in selling Christmas cards and so on.

#### Further Work

1. Explain which of the matters involving Civil rights you consider to be most important.
2. Do you believe Britain should have a Bill of Rights setting out the fundamental rights of a citizen?
3. Explain why you would or would not care to do some sort of voluntary work or help in raising money for a charity.
4. Would it be worthwhile setting up a school-based group of volunteers to help aged or needy people in your area? What kind of jobs could the group do?

*Happy relationships here.*





## The Press and the Public

The British are the greatest readers of newspapers in the world with just over fifty copies of daily papers bought for every 100 of the population. In no other country are so many copies of newspapers bought per head of the population. This situation might be thought to show that people are well provided for by the press, but there are some worrying points about newspapers in Britain.

In recent years a number of National newspapers have had to close down with the result that ownership of newspapers is coming into the control of only a small number of people. About seventy per cent of the National daily press is in the hands of three organisations: Beaverbrook Newspapers ('Daily Express'), Associated Newspapers ('Daily Mail') and the International Publishing Corporation-Reed Group ('Daily Mirror'). With the National Sunday press, three organisations control over eighty per cent of the papers sold: The International Publishing Corporation Reed Group ('Sunday Mirror' and 'The People'), Beaverbrook Newspapers ('Sunday Express') and the 'News of the World' Organisation which also publishes the daily 'Sun'.

The danger in such a situation is that only limited points of view will be put over by the papers and that it will be difficult for views and grievances of minorities to get any publicity. New ideas and viewpoints will be hard to publicise and develop and this could make Britain a duller and more intolerant place in which to live. This is not a healthy state of affairs in a democratic country where, in theory, the views of even small groups should be allowed to be aired.

### The Peculiar British Situation

This situation has arisen in Britain mainly because we live on a densely populated and small island with easy communications, and it has been possible for a National Press to have developed in Britain in a manner not to be found in any other country on the same scale. Newspapers printed in London and their provincial editions can be



*The distribution of newspapers is a vital part of the organisation. Local newspaper sellers and newsagents are familiar sights in cities.*

distributed to most parts of the country so that people can have them delivered in time for breakfast. So it is that the 'Daily Mirror' sells about 4½ million copies a day, the 'Daily Express' over 3 million and the Sunday papers, 'News of the World', 'Sunday Mirror', 'The People' and 'Sunday Express' all sell over 4 million copies each. And there are four other National daily and Sunday papers, all of which sell over 1 million copies — the 'Sun', 'Daily Mail', 'Daily Telegraph' and 'Sunday Times'.

#### **Advertising — the Controlling Hand**

It would seem that because of the very large scale of the National press in Britain it should be in a very healthy state. But this is to ignore the key to the financing of the press — advertising. If a newspaper does not attract enough advertising to its pages it will lose money, as advertisers are naturally keen to ensure that their advertisements are seen by as many people as possible. This, of course, means that the newspapers with the greatest sales attract the most advertising and can charge higher rates for space than the papers with smaller sales. The result of this is that papers like the 'Daily Sketch', which sold something under 1 million copies a day found it difficult to attract advertising, lost money and had to close down. The 'News Chronicle' was selling 1¼ million copies a day which it was forced to close down in 1960, and in 1969 the International Publishing Corporation decided to sell the 'Sun' because it was losing money heavily although selling about 1 million copies a day. Putting up the price of the paper to the customer seems to be no solution, for people would simply stop buying it and switch to a cheaper paper.

The shortage of advertising income has come about since the arrival

of a competitor in 1955 — commercial television. This happened to coincide with the end of newsprint rationing in 1957 after the Second World War. Advertisers had been only too glad to have their messages placed in any newspaper because of the restrictions in their size caused by rationing. After 1957 the Advertisers could pick and choose not only between newspapers but between newspapers and commercial television.

These two events soon led to the end of a number of National papers as the table shows:

Paper	Ceased Publication
'Sunday Chronicle'	1955
'Sunday Graphic'	1960
'News Chronicle'	1960
'Sunday Empire News'	1961
'Sunday Dispatch'	1961
'Sunday Citizen'	1967
'Daily Sketch'	1971

In addition, the important London evening newspaper the 'Star' also had to cease publication in 1960. Between 1948 and 1969, forty daily and Sunday newspapers and 100 local papers had to cease publication in Britain.

A number of our National papers manage on much smaller circulations than those in the 4 and 5 million class. For instance, the 'Times' and the 'Guardian' both sell below half-a-million copies a day but attract the type of advertising which is not suitable for the mass circulation popular papers — plant hire, top managerial jobs, company reports and so on.

*Busy newspaper office (Daily Express).*





The connection between circulation and advertising rates is shown clearly below:

PAPER	APPROXIMATE DAILY SALES	COST OF FULL-PAGE BLACK AND WHITE ADVERTISEMENT (1971)
<b>(a) Popular Press</b>		
'Daily Mirror'	4,400,000	£3,998
'Daily Express'	3,600,000	£5,500
'Sun'	2,500,000	£2,173
'Daily Mail'	1,700,000	£2,250
'Morning Star'	50,000	£220
<b>(b) Quality Press</b>		
'Daily Telegraph'	1,400,000	£4,400
'Times'	340,000	£2,640
'Guardian'	330,000	£1,960

Note that the page size of the 'Daily Mirror', the 'Sun' and the 'Daily Mail' — the "tabloid" papers — is only about half that of the other papers.

### Freedom of the Press

The shortage of money from advertising is clearly a great handicap in providing a variety of newspapers putting forward all sorts of views. Fortunately we do not have to cope with any other major threat to the freedom of the press in this country. There is no censorship of newspapers in Britain as there is in some other countries, and advertisers are not in a position to dictate to editors or newspaper owners what their policies should be. This has not stopped some trying to bring influence to bear for cases have occurred of advertisements for films being withdrawn from papers which have given bad reviews to films.

There are only four ways in which what a newspaper may say are limited and these are summarised in the next table:

LIMITATION	REASONS
Law of Libel	Could lead to a Civil action being taken against a paper (see Chapter Three).
Commenting on a matter which is 'sub judice', that is, still being decided upon by a Court.	It may prejudice the result.

**D Notice (Defence Notice)**  
warning.

Only the basic facts of committal proceedings in Magistrates' Courts are allowed to be reported unless the accused makes application to have these restrictions removed.

This is a notice to editors requesting them not to publish news items or photographs in case National Security would be endangered. A prosecution under the *Official Secrets Act* could follow if an editor ignores a *D Notice*.

A committal proceeding is only an examination of an accused person — not a trial — to see whether he has a case to answer. Reporting more than the basic facts could be a threat to a later fair trial. A paper which reports more than the facts could be charged with Contempt of Court.

### **Complaints Against the Press**

Complaints against the press are investigated by the *Press Council*, but this organisation has its shortcomings. The ones most highlighted are that most of its members are involved with the press and therefore may find it difficult to be impartial, while also the Council lacks any power to use against newspapers which have had complaints against them upheld. The papers concerned in complaints may carry an account of the Press Council judgment, but while they may give it front page prominence if the decision is favourable, they may hide it away on an inside page and not draw attention to it with big headlines if the decision goes against them. In fact, newspapers do not have to publish Press Council judgments at all.

#### **Further Work**

1. Would you be prepared to pay more for a daily newspaper if it meant that the press could become less dependent upon advertising for survival?
2. Do you think that in the interests of the public the Press Council should be given greater disciplinary powers against newspapers?
3. Explain which National Sunday or daily newspaper you like best and why.



## Sound, Vision and Society

Regular television broadcasting began in Britain as early as 1936 and, in fact, Britain's was the world's first public television service. However, very few people indeed were able to afford to view in those days, and not until some years after the Second World War, in the late 1940's and early 1950's, did television become a means of *mass communication*.

### Commercial Television and Contracts

At first television, like sound broadcasting, was a monopoly in the hands of the B.B.C., but in 1954 the *Television Act* was passed which led to the formation of the *Independent Television Authority* and the start of commercial television in 1955. The I.T.A. has now become the *Independent Broadcasting Authority*. The I.B.A. and the B.B.C. are public authorities set up by Parliament. But whereas the B.B.C. produces its own programmes and builds its own transmitters, the I.B.A. only builds transmitters and then contracts out to commercial television companies to supply the programmes for the fourteen areas into which Britain has been divided by the I.B.A. National and international news coverage is not provided by the individual companies but by a separate body, *Independent Television News Limited*. This is a non-profit-making body in which all contracting companies have shares. As well as the regular news broadcasts, I.T.N. also produces special programmes covering important events like General Elections and flights to the moon.

*B.B.C. Television News personalities — Robert Dougall, Kenneth Kendall and Richard Baker.*



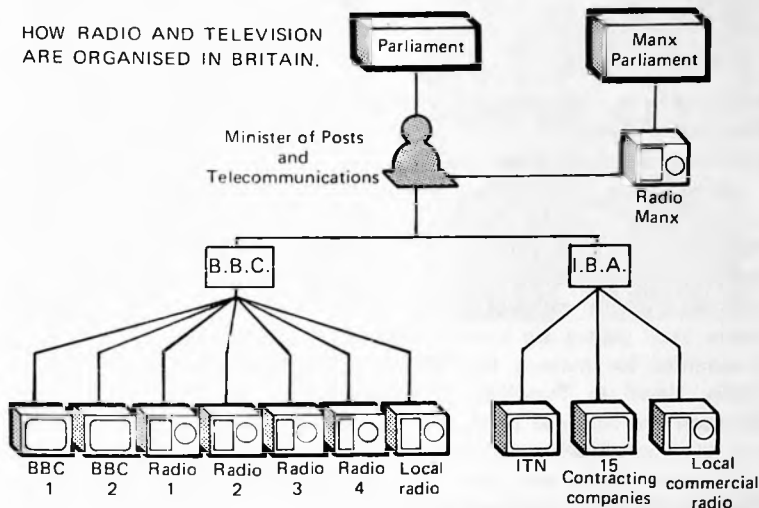
The I.T.A. supervises the work of the contracting companies and ensures that programmes and advertisements are in accordance with the standards laid down by the Television Act.

The contracts are not awarded on a permanent basis, and when the period of the contract expires there is no guarantee that they will be renewed. The table below shows the companies supplying commercial television under contracts which came into effect in 1968 and which are due to expire in 1976.

CONTRACTING COMPANY	AREA SERVED	APPROXIMATE POPULATION COVERED	COST OF 30 SECONDS PEAK HOURS ADVERTISEMENT (1972)
* London Weekend TV	London (From 7 p.m. Friday, Saturday, Sunday)	12½ million	£2,300
* Thames TV	London (Monday to 7 p.m. Friday)	12½ million	£1,850
* Associated TV	Midlands	7½ million	£1,000
* Granada TV	Lancashire, Cheshire	6½ million	£1,064
* Yorkshire TV	Yorkshire, Lincolnshire	5 million	£ 780
Harlech TV	Wales and West of England	4½ million	£ 420
Scottish TV	Central Scotland	4 million	£ 410
Southern TV	South-east England	4½ million	£ 390
Tyne-Tees TV	North-east England	2½ million	£ 340
Anglia TV	East Anglia	2½ million	£ 285
Westward TV	South-west England	1½ million	£ 135
Grampian TV	North-east Scotland	¾ million	£ 115
Ulster TV	Northern Ireland	1½ million	£ 115
Border TV	Border Counties, Isle of Man	½ million	£ 70
Channel TV	Channel Islands	110,000	£ 9.50

\* the 'Big Five' Companies

HOW RADIO AND TELEVISION  
ARE ORGANISED IN BRITAIN.



All the companies except London Weekend and Thames have contracts to broadcast seven days a week.

Commercial television, of course, gets its money from advertising and it will be obvious by a glance at the list of companies above that those with the contracts for areas with the greatest number of viewers can charge higher advertising rates than the smaller ones. Just compare London Weekend TV with Channel TV, for instance. The result of this is that the bigger companies are able to afford the most attractive, ambitious and spectacular programmes with well-known personalities involved. The smaller ones, unable to do this because of their smaller incomes from advertising, will transmit programmes put out by the big companies, a system known as *networking*. So it comes about that the bigger companies, the 'Big Five' at the head of the table, are able to dominate commercial television to a great extent, particularly during the peak hours — roughly 7 p.m. to 10.30 p.m.

Much the same sort of arrangement is to be found with the B.B.C., for although local programmes are broadcast on B.B.C.1, peak hours are almost always used for national programmes so that the same thing is seen throughout Britain during most of the evening.

Besides the regional services for Scotland, Northern Ireland, Wales and the London area, the B.B.C. has eight area television centres:

Birmingham, Newcastle, Southampton, Plymouth, Norwich, Manchester, Bristol and Leeds.

### Commercial Television and the Press

Some people in Britain are worried by the fact that newspapers are too involved financially with the commercial television companies. Only one National newspaper, the 'Morning Star' (the Communist newspaper — circulation about 50,000) does not have shareholdings or connections with commercial television companies, while in addition many local papers are involved with the local commercial television companies, for instance, the 'Yorkshire Post' in Yorkshire TV and the 'Daily News' in Tyne-Tees TV. The table shows the connections between the National press and commercial television:

NEWSPAPERS		COMPANIES WITH WHICH THEY ARE CONNECTED
'Sunday Mirror'	International	
'People'	Publishing	
'Daily Mirror'	Corporation-Reed Group	Associated Television
'Daily Express'	Beaverbrook	
'Sunday Express'	Newspapers	Associated Television
'Daily Mail'	Associated	
'Daily Sketch'	Newspapers	Southern Television
'Evening News'		
'Observer'		
'Daily Telegraph'		London Weekend Television
'Sunday Telegraph'		
'News of the World'		
'Sun'		
'Guardian'		Anglia Television
'Times'		
'Sunday Times'		Scottish Television
'Scotsman'		

This situation may weaken the powers of the press to act as watchdog for the public and keep an eye on the content of programmes on their behalf.



*Joan Palmer — ATV Network Station Announcer.*

*Reg Harcourt — Political Correspondent — ATV Today.*

### **Changes in Sound Broadcasting**

Sound broadcasting in Britain goes back to 1922 when the first public service began and from 1926, when the B.B.C. was made a public corporation, to 1972 radio was a monopoly of this one organisation. In 1972, however, an Act was passed allowing local commercial radio stations to be set up and the first ones serving London, Birmingham, Glasgow and Manchester are due to begin broadcasting early in 1974. The companies which are given the contracts to run commercial radio in a city will only provide the programmes while the I.B.A., as in the case of commercial television, will build the transmitters. A company will be given a contract to run a commercial station for three years and there will be no guarantee that contracts will be renewed.

The B.B.C. had begun to set up its own local radio stations in 1967 and by 1972 there were twenty of them on the air serving the places listed below.

#### **B.B.C. LOCAL RADIO STATIONS**

Carlisle	Brighton	Bristol	Manchester
Merseyside	Nottingham	Chatham	Middlesbrough
Leicester	Leeds	Derby	Newcastle
Sheffield	Birmingham	Hull	Oxford
Stoke	Blackburn	London	Southampton

Local radio can persuade more people to get involved in community affairs by allowing them to air their grievances and question local



*B.B.C. Radio Nottingham – studio and control desk.*

councillors and officials of various sorts in the studio, for example. One station, B.B.C. Radio Stoke, claimed that there was a lot more voting in the wards of the city where the radio station covered a recent Election campaign.

The B.B.C. and the new Independent Broadcasting Authority are public corporations responsible to Parliament, but this does not mean that Parliament can interfere in the day-to-day running of the services. One drawback to these arrangements is that the public is nowhere *directly* involved. There is no independent body for dealing with complaints with even the limited sort of power which the Press Council has (See Chapter Nine). Any complaints against the B.B.C. or Commercial Television and Radio organisations are dealt with by these Organisations themselves. Is this the way to ensure that the public interest is properly looked after?

### **Further Work**

1. Do you think there are any dangers to the public interest because so many newspapers are involved with Commercial television companies?
2. Should a Broadcasting Council be set up with similar or greater powers in sound and television broadcasting that the Press Council has with newspapers?
3. What is your opinion of the 'networking' system in Independent Television and the similar position with the B.B.C.?





# On Our Own Doorsteps

You do not have to move from your own home to find yourself involved in the results of the decisions someone else has made. For example, if your house has to be knocked down to make way for a motorway or is allowed to stand but with traffic thundering along the motorway outside your bedroom window, you will be very aware of how the decisions of Town Planners can affect your life.

Until recently the ordinary citizen had very little say in planning decisions except for voting for Members of the Local Council, and so was only indirectly involved. This was not a very satisfactory state of affairs and it led to the passing of the *Town and Country Planning Act in 1968* which now makes it compulsory for the public to be consulted in the early stages of planning. Individuals and organisations have the right to make suggestions, observations and objections. Before the Act was passed, objections could only be raised after plans had been decided upon by the Local Council.

However, in order for citizens to become effectively involved in making planning decisions, it is clear that they must be provided with ample information. The 1968 Act therefore also lays down that before the *Secretary of State for the Environment* in England or the *Secretaries of State for Scotland and Wales* approve any plans submitted by Local Councils, they must be satisfied that there has been enough publicity and that the public has been allowed to put forward suggestions. This means that there must be participation *during* the preparations of plans and not just consultation *after* preparation.



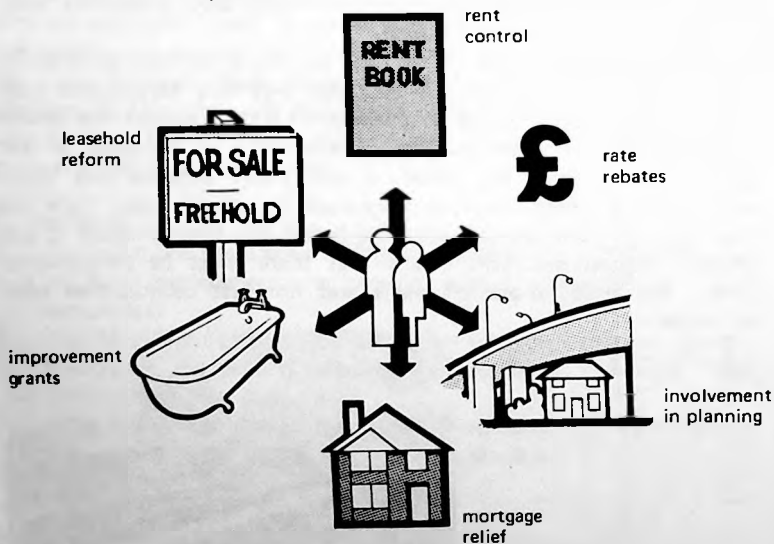
### Lack of Information

A possible weakness of the whole idea of allowing the public to become involved in planning is that the press has no right to attend Council Committee meetings where important decisions are made and vital information made available. On the other hand, whilst the meetings are held in private, the members can voice their opinions as forcefully as they like in the interests of the people they represent. Although some Local Councils do permit the reporting of Committee meetings, the press only has the right to attend full Council meetings, usually held monthly, where there is often very little discussion of matters already decided upon by the Committees.

### Protection of the Leaseholder

Land owned by a person may be either freehold or leasehold. A freeholder owns the property absolutely. Leasehold property gives the owner of the lease the right to enjoy or occupy the property for a specified number of years for an agreed ground rent. The ground landlord owns the freehold subject to the conditions of the lease.

In recent years many thousands of leases, which are often granted for 99 years, were close to expiring. To preserve the security of the leaseholder and to protect his investment the Leasehold Reform Act



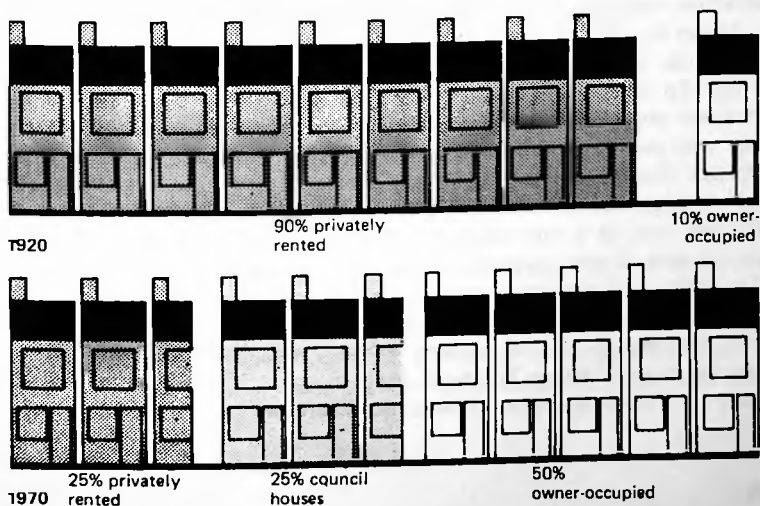
was passed in 1967. This gives leaseholders who have occupied their homes for at least five years the right to buy their freehold at a fair price if they so wish or, alternatively, if they do not want to buy to extend it for a further fifty years. This right does not apply to *all* leases. To be applicable the lease must have originally been for more than twenty-one years at a rent less than two-thirds the Rateable Value, where the Rateable Value does not exceed £200 (in London £400). In cases of dispute about a price the matter is decided by the Lands Tribunal.

### Rent Control

There has been a housing shortage in Britain for many years and it is likely to continue for some years in some areas. In such situations a few unscrupulous landlords attracted by the prospects of making large profits, charge a 'scarcity rent'. That is they charge a higher rent where there is a shortage of accommodation.

Protection for people renting their houses has been given by a series of Rent Acts – the latest dated 1965. In cases of dispute about a fair rent, a Local Rent Tribunal has the power to decide the amount to be paid. The latest Rent Act applies only to unfurnished lodgings.

Tenants of furnished accommodation are not protected in quite the same way, and as 'furnished' can mean simply one chair and a table,



THE CHANGING PATTERN OF HOUSE OWNERSHIP.

for example, there are people being charged high rents for accommodation with a minimum amount of fittings and furniture supplied by the landlord. Although such tenants can also appeal to the Rent Tribunal, their right to remain in their home is then limited to six months, after which the landlord can claim possession.

### **Improving the Home**

Owner-occupiers and private landlords have the opportunity of improving their houses by applying for an Improvement Grant from the Local Council. Basic improvements like installing a bathroom, a hot and cold water system and an indoor lavatory can qualify for a grant amounting to 75% of the cost of the improvement. For major improvements like converting an old house into flats a grant of up to £1,500 may be made by the Local Council.

### **Cutting the Costs of Mortgage**

More and more people in Britain are buying their own houses rather than renting them from Local Councils or private landlords, and about half of the homes in Britain are now owner-occupied.

Most owner-occupiers borrow the money they need to buy a house from a Building Society, a Local Council or, sometimes, from an Insurance Company and they are allowed Income Tax relief on the interest part of their Mortgage repayments. This amounts to an effective reduction of the interest charges of about 40%.

Down to 1968, if a person buying a house paid no income tax then, of course, he did not qualify for any Income Tax relief (see Chapter Five). To change this situation and to help those people on lower incomes who were buying or who wanted to buy their own homes and did not pay Income Tax, a special 'option mortgage' scheme was started. The effect of this is to give a person buying a house a choice of two interest rates: he can either pay the Building Society or Local Council rate, or a rate between 2 and 2½ per cent below this. Those people who choose the lower rate will not be able to claim any Income Tax relief so that a person paying Tax will not benefit from taking out an option mortgage. When choosing a scheme, young people have to consider two important aspects. When a mortgage borrower earns enough to pay Income Tax he is *not allowed to change* the method of payment from the option scheme. Therefore the option scheme

becomes a disadvantage to a person who increases his wages or salary well.

The table shows examples of mortgage repayments at a particular rate of interest (7.5/8%) and for a period of twenty-five years. The calculations to show which method of borrowing the money is best for a particular person are complicated. Usually one can get good advice from a Building Society, a Mortgage Broker, a Bank Manager, and Accountant or a Solicitor. As circumstances vary so much it would be advisable for a young couple to consider carefully all the alternatives.

#### EXAMPLES OF OPTION MORTGAGE REPAYMENTS

AMOUNT BORROWED	MONTHLY REPAYMENTS ON ORDINARY MORTGAGE	MONTHLY REPAYMENTS ON OPTION MORTGAGE	SAVING (TO BORROWERS PAYING NO INCOME TAX)
£2,000	£15.50	£12.58	£2.92
£2,500	£19.37	£15.73	£2.64
£3,000	£23.25	£18.87	£4.38

These figures apply to loans over twenty-five years when the Building Society interest rate is 7.5/8%.

#### RATE REBATE SCHEME EXAMPLES

FULL RATE DEMAND	AMOUNT TO BE PAID IF RATEPAYER QUALIFIES FOR A REBATE	AMOUNT SAVED
£52	£22.33	£29.67
£44	£19.66	£24.34
£30	£15.00	£15.00

#### Paying Less Rates

People on low incomes, whether owner-occupiers or tenants of privately-rented houses or council houses, can benefit from using the rate rebate scheme. Those who qualify for a rebate have to pay the first £7.50 of the yearly rate bill themselves, plus one-third of the remainder and this can mean a considerable saving for those who are not well-off.

## **Insurance**

The principle of insurance is that many people share the cost of risk of dangers and accidents. Life insurance provides a kind of security to a family if the head of the family dies or is seriously injured. There are some forms of insurance which are useful means of saving for the future — for example, for a child's college or university education or for retirement.

The choice of insurance most suitable for a person or a family depends on many things such as earnings, the amount of income tax payable, the particular risks one has and one's age and health.

There are a number of first-class insurance companies in Great Britain and when one is considering forms of insurance it is advisable to ask two or three companies for quotations which give costs of providing the right kind of insurance cover. An alternative is to discuss one's personal situation with an Insurance Broker who will give advice and suggest the best kind of policy at the most economical cost.

As an example of insurance cover which you may want to know about quite soon we shall discuss motor car insurance first.

### **Motor Car Insurance**

In Britain motor car insurance of some form is compulsory. To drive a motor car (or motorcycle) without insurance cover is a serious offence. The main factors which are involved and which are considered by the insurance company are:

1. the experience of the driver
2. the type, value and age of vehicle
3. the area of the country where the vehicle is kept and likely to be driven.

To find out the information above and the other important details such as whether you have good eyesight or not and whether you have previously had an accident whilst driving, the company asks you to fill in a form which is the proposal form.

On the form you must say what kind of insurance you require — this

usually includes three alternatives:

**Third party**

**Fire and theft**

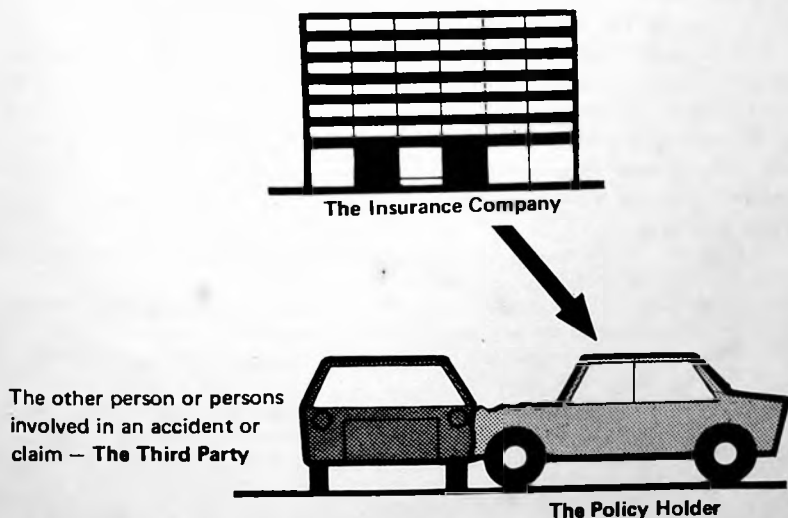
**Comprehensive cover.**

Simply, for a fee the insurance company will provide cover for the compulsory Third Party Insurance which means that if you are involved in an accident the company will pay the costs of a justifiable claim against you.

For a small extra sum the company would pay you the cost of your loss if the car is stolen or burnt out through a fire.

Comprehensive insurance usually covers the range of costs of being in an accident including the cost of repairing your own car if necessary. This cover is obviously more expensive than just Third Party insurance.

When you have completed the proposal form and paid the fee the company issues a cover note whilst the policy is prepared. The policy is



the agreement between you and the company.

Young drivers are proved by statistics of accidents to be a greater risk than experienced drivers so the cost of the insurance is more. It is most important to read the details of the policy carefully before signing the proposal form. Apart from paying more for the cover, a young driver may be asked to pay the first part, say £10, of every claim. This is called an excess and may be imposed, say, for the first three years of the policy.

### **Other Insurances**

**Life Policies** provide a sum of money and/or an income for the family, when the policy holder dies.

**Endowment Policies** are a form of investment and saving. At the end of a number of years (often twenty years) a sum of money is paid by the company. This is usually more than the total payments of the policy. If the policy holder dies before the end of the twenty years the sum is paid by the insurance company.

**Mortgage Cover Policies** are aimed to cover mortgage repayments on a house. They can be a form of Life or Endowment policy related to the amount of the mortgage.

**House and Contents Policies** provide insurance cover for houses against damage including fire and for its contents. Usually the contents are covered in the event of theft as well as accidental damage.

**Travel Insurance Policies** are popular with people who take a holiday abroad. Usually they cover loss of money, loss of luggage, costs of medical treatment and cancellation of the holiday due to illness.

### **Further Work**

1. Which of the schemes for helping householders described above do you think is the most useful and why?
2. Should the press be allowed to report on Local Council Committee meetings so that the public can be properly informed on planning matters?
3. Would you prefer to own a house or to rent one from a Local Council or private landlord?
4. Collect all the information you can about buying a house. Work out a budget for a young married couple setting up a home for the first time.
5. Which type of voluntary insurance do you consider is most worthwhile for you to take out and why?



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13-15 ALCESTER ROAD SOUTH, BIRMINGHAM 14, ENGLAND.